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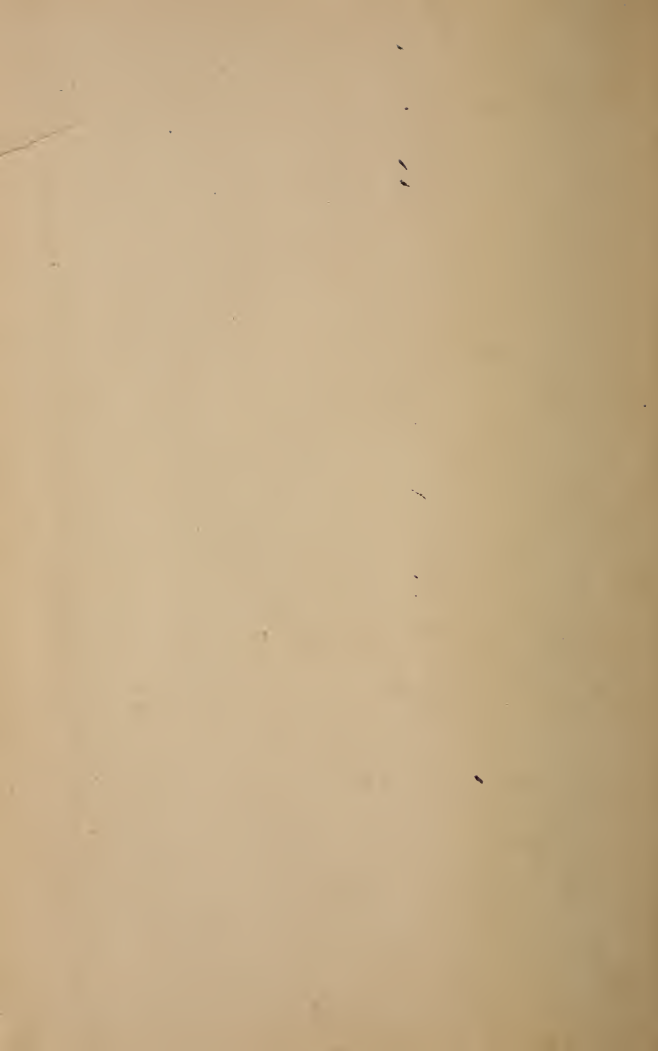
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UNITED STATES OF AMERICA.





BIENNIAL ELECTIONS.

BY

RAYMOND L. BRIDGMAN.

Once to every man and nation comes the moment to decide,
In the strife of Truth with Falsehood, for the good or evil side;
Some great cause, God's new Messiah, offering each the bloom or blight,
Parts the goats upon the left hand and the sheep upon the right,
And the choice goes by forever 'twixt that darkness and that light

LOWELL.



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BIENNIAL ELECTIONS.



I.

INTRODUCTION.

IN voting upon the proposed amendment to the Constitution to establish biennial elections of State officers, councillors, and members of the legislature, the people of Massachusetts will pass upon a political proposition more important than any which has been submitted to the present generation. Its pervasive and permanent effects will be felt throughout every year of the future, if it shall be adopted, shaping political events in State, county, city, and town governments, placing the control of public offices and the public treasury more than ever in the hands of corrupt politicians and of men selfishly ambitious of distinction in the eyes of their fellow-citizens, subordinating the interests of the many to the will of the wealthy few, strengthening the grasp of corporations and monopolies upon the necessities of living of the whole people, increasing the present indifference which is itself one cause of the existing demand for biennials, and which is the most powerful agent in the present unsatisfactory condition of municipal government, stifling all adequate discussion of State affairs in the heat of congressional and presidential campaigns,

obstructing seriously the State's development by the forces which have hitherto made Massachusetts prosperous, and which will continue to keep her in the forefront of progress if their beneficent activity is not checked by this unwise effort to cramp and to reduce political discussion and effort by the people, preventing the necessary development of political judgment and decisiveness among the mass of the voters, restricting the assimilation and Americanizing of a large mass of foreign-born citizens, sacrificing the political power and importance of a large number of towns all over the State, tying the hands of the people so that they will not be able to help themselves, making it possible for any powerful combination of interests which can control one-third of the House to prevent, forever, the people from regaining the opportunity to call their representatives to an annual accounting or to express their will annually regarding pending issues, fostering the exaltation of political bosses who have been hitherto unknown; in short, corrupting, weakening, dwarfing, and perverting political forces in a thousand ways, and all for no good but the indulgence of selfish ease and indifference, whose very indulgence will be the cause of its own ruin amid the misfortunes of the Commonwealth. This is the momentous issue upon which the people must pass. It overshadows all other political issues of the year combined. No other question which is presented approaches this in its vital hold upon the unborn generations. No other goes so deep into the principles upon which our government is founded. No other, settled amiss, will bring so many unfortunate consequences upon the weaker classes, or will so seriously, for all time, retard the healthful growth of the State.

II.

WHY ANNUAL ELECTIONS ARE BEST.

AT the bottom of all the agitation over the frequency of elections lies the inherent nature of the State itself as a political body. In that nature is found ample reason for a frequent choice of officials, and for a frequent expression of the popular judgment upon the needs of the people.

It is not incumbent upon the friends of frequent elections to assume the task of demonstrating their necessity. The burden of proof lies upon those who want biennials, and until they have established their case it would be wholly fitting for their opponents to await their motion. But the people are the court of last resort. They are not likely to stand upon the logical order of procedure, but are possibly in danger of voting for the change unless the reasons for frequent elections are reaffirmed.

Yet the friends of frequent elections need not be slow in assuming the burden of proving that annual elections are better for the State than biennials. They can easily afford to sacrifice so much of their technical advantage for the sake of meeting any questioners who would like, after all, to know, just as if there were no history in the matter, why elections once in a year are better for the people than elections once in two years.

The reason lies in the nature of the political body as an organism of intense vital energy, of ceaseless activity, of

countless wants, and of rapid progress. This body is concerned for the well-being of every individual member. It is governed by the strongest wills carrying out what the judgment of the majority of the people has determined to be for the good of the whole. Its administration is for the benefit of no special class, but for the advantage of all. Its courts are not for one quality of suitors at the expense of others, but for all upon equal terms. Its will is expressed in its statutes after the representatives of the people have become informed upon its needs as a single political body, and its will is carried into execution by its officers.

But the vital part in the development of the political body is the place where the information upon the needs of the body is conveyed to the representatives of the people, and where the will of the people, expressed through their representatives, is crystallized into statutes.

The purpose of government is to maintain a healthful political body, and to promote its development as fast as is possible by the forces inherent in it, — forces which were not created by man. Good government will remove obstructions to the activity of these forces, and permit the development of the political body to be as rapid and as healthful as the divine energy within it demands. Faster than this there can be no growth. Any growth slower than this is due to obstructions which have been placed in the way of that energy by human hands.

Now, the energy within this political body is so intense in its activity that, with the present average human selfishness and the common indifference to political needs, — which are a totally different thing from political contests and quarrels, — the wants of the political body are never

nearly supplied. As in private affairs, the physical, mental, artistic, and spiritual needs of each person are never all satisfied, as growing wealth only adds to the number of needs as the ability to satisfy them increases, and as every forward step in civilization brings an entirely new set of needs to be appeased, so in political affairs the urgent demands for more things to be done runs far ahead of the ability of the people, as members of the political body, to supply.

It is pertinent to observe here, too, that in the present crude stage of even our best civilization, our wants as a political body are felt, most of all, on the material side. Faster transportation, taller buildings, wider boulevards, greater docks and harbors, bigger mills, more profuse ornamentation of public and private structures, more speed and more splendid show,—these are the things we are striving most for in our private and political capacity. Yet vast unexplored realms of progress lie beyond these fields, — realms into which the organized community is as sure to enter as it is to make progress at all.

But even at present the demand for political action in its true, non-partisan sense, is far in excess of the people to satisfy. The political body is out at the elbows and down at the heels in comparison with what it should be with even its present knowledge. Schoolhouses, even in Boston itself, are far inadequate to the urgent necessities of the people. Highways all over the State are in a condition befitting primitive, barbaric man. The aggressive force of Christianity is so feeble and the self-sacrifice of its professors is so undeveloped that they are afraid to admit even all self-supporting immigrants who would come. In every

city and town the public needs are ahead of the public ability to supply them, and the existence of so many and so heavy city and town debts is only one infallible demonstration that, as a political body, we are not able to satisfy our needs.

But those needs keep multiplying, no matter how loudly we may cry halt, no matter how foolishly we may suppose that when the present exigency is over the pressure will be relaxed. If it is not one thing, it is another, and the constancy with which municipal tax bills maintain their high level is a yearly demonstration that the political body will always present imperative demands upon its individual members.

Above the municipal needs stands the State as a whole. Her demands must be faced by the legislature, and it is only what most men will doubtless admit, that the many needs of the political body are but faintly comprehended by those who are not brought into personal contact with them at the State House. A more forceful truth, however, is that not a single person at the State House can have a full realization of the extent, magnitude, and multiplicity of these needs. Members of the legislature have their particular committee work to attend to. Outside of that, they have no means of learning the details of hundreds of matters which are presented every session for legislative action. Most subjects of such action are not explained at all; they are either voted through or voted down without debate. So the members are poorly situated to grasp the volume and meaning of the petitions and bills presented. The presiding officers cannot do it; their duty is to see that the parliamentary form of procedure is preserved and to

dispatch business rapidly. The clerks of the branches cannot do it; they are loaded with merely clerical detail. The representatives of the press cannot do it; they only skim the surface, and note what is of most importance or most sensational. Especially, since business has increased so much in volume in recent years, they cannot mention it with an approach to their former thoroughness, and the papers would not print it, if they did. The governor cannot do it. He has no means of learning the facts, save as he takes exceptional care in case of a much disputed measure.

No, the plain truth is that the activity of the State is so tremendous and so pervasive that not a man in its borders has anything like an adequate conception of even the comparatively small phase which appears at the State House; but we all live on while this energy bears us onward, just as the vital energy of our bodies carries its effects into every nerve and fibre while we are unconscious of it.

The political energy, however, is nominally under the control of the people. Hence the vital importance of allowing it free scope. To illustrate the wide fields of action which are traversed by the legislature, let brief mention of a few be laid before the biennialist who believes that elections once a year are sufficient, and that legislative sessions once in two years are often enough for the transaction of the State's legitimate business. The administration itself, with its hundreds of officers and employees, must be watched constantly and changed frequently in order to carry out the will of the people expressed in their laws; the entire field of agriculture must be watched and its interests promoted; the manifold labor interests bring much business to the

legislature every year; the defensive force of the State, embodied in its militia, must be kept in efficient condition; the demands of the Civil Service must be satisfied or the people suffer; all corporations must be regulated in the interest of the people, and their development along right lines must be promoted; professions, like medicine, dentistry, and pharmacy, which are under State supervision, must be kept up to the standards of the times; gas and electric light development must be held subservient to the public good; the harbors and public lands of the State must be constantly supervised; the highways are a recent and expensive charge; the fish and game interests frequently ask for legislative intervention; insurance companies and policy-holders are always at the State House when the legislature is in session; liquor and lumber, parks and sewage and water supplies,— all press for attention; prisons and charities, libraries and records, railroads and savings banks make frequent demands upon the time and wisdom of our solons. There is the vast field of legislation close to the private interests of hundreds of thousands, and vital to the development of the whole State, of which only a faint idea is conveyed by the Public Statutes, — elections, taxes, municipal affairs, religious movements, education, public means of intercommunication, the regulation of many trades, the punishment of frauds and perjuries, the internal police of the State, the entire field of real and personal property control and transmission, guardianships and trusts, family relations, all court proceedings, crimes and punishments, and many other variations of these classes whose enumeration would occupy pages.

Something upon each of these matters is almost sure to

be presented each year; usually many measures relating to some of them are offered. These measures, as a rule, represent the genuine needs of the people, which demand prompt attention; for people do not apply to the legislature until they are forced to do so. Still further, most of the matters of every year are new. Nothing could be further from the truth than the frequent assertions that legislative measures are a lot of old bills and petitions which are brought in, year after year. The charge may be fully and fairly dismissed with a flat denial.

Now, it is very clear from the nature of our government that its most vital spot is in the legislature. With such a mass of new and important business every year, it is of the first importance that the representatives of the people come as freshly from the people as does the business upon which they are to pass. Otherwise, the legislature is behind the times. It is out of date. It was not elected upon the issues which are pending, but upon those of a year old, which are out of date at the second session of a biennial legislature. Thus much for the business side of the question.

But a further important consideration is the sense of responsibility of representatives to the people. This is a question with two distinct, contradictory sides, which ought to be clearly recognized and weighed. If representatives are elected for long terms, they are safe from a mistaken popular clamor which might influence them to vote against their judgment if they were directly exposed to it. Ebullitions of excitement pass away quickly, and a representative who holds for a long term may at its end have the approval of his constituents, though they might have condemned

him at some previous period for acting in direct opposition to their will. The government has been saved from popular passion, and the sober second thought has its rightful weight.

On the other hand, a representative elected for a long term is beyond the reach of his constituents. They cannot pass upon his action until the end of his term. They may have very clear opinions upon the issues before the legislature, but their representative can safely act contrary to them. Selfish considerations may influence members to the utter exclusion of the public good. Not only is there the direct danger that the representative will yield to corrupt pressure, but there is the less positive danger that he will use his public office, if not corruptly, at least so as to benefit himself at the expense of his constituents.

So the question is, Will the State be safer with representatives holding terms so long that they will not yield unwisely to popular excitement, or will it be safer with representatives holding terms so short that they will not defy the wishes of their constituents?

Only one candid answer is possible with those who have watched for a long time the course of legislation. The short term is unquestionably the safer. The occasions of danger from popular excitement are comparatively rare. The occasions from temptation to the legislator are almost constant. The member who feels that he will never come again, that, under the system of courtesy and rotation which prevails, some other man is sure to take his place the next year, is much more likely to disregard the wishes of his constituents than the member who feels that his re-election depends upon his fidelity to them. If two-year terms were

introduced, the members, to a larger extent than now, would be absolutely certain that they would not be re-elected. They would be less sensitive to the wishes of their constituents. They would be more susceptible to corrupt influences. They would be more watchful to make as much personal gain as possible out of their political careers. Self, not the public, would be more likely to be the chief consideration.

Observation at the State House carries out this view abundantly. It is not uncommon to hear it said of certain members, year after year, "Oh, they will not come back again. They are going to make what they can out of it. They don't care what their constituents think." Frequent returns to the people are essential to legislation in the interests of the people. To establish biennial terms would be a decided step toward robbing the people of their rightful power and turning over the legislature to the manipulations of corporate wealth, to the machinations of cheap politicians, and to the sway of the selfish interests which would enslave the people for their pecuniary and political gain.

Taking the State, then, in its large and true aspect as a political body, with countless wants which need constant and immediate attention, seeing how essential it is that the representatives should be in close contact with the people and be frequently accountable to them, we have a constructive, positive side of the case in favor of annual elections which may be put confidently against all excuses for political shiftlessness and all pleas for class favoritism on the other. The only problem is to educate the people to their true relation in the body politic, and to arouse them

to the alarming danger from clogging the currents of its organic activity. On the one side is dangerous ease and forgetfulness of duty. On the other is true self-interest and patriotism, involving that sacrifice and activity by which our liberty and prosperity were secured, and by which alone they can be preserved.

III.

SIGNS OF THE TIMES.

BIENNIAL elections must be considered broadly in relation to the times in which we live. If once the two-year system is adopted, it will doubtless be established for many years,—perhaps for one century, perhaps for two; at any rate, as long as the selfish influence of wealth and suicidal indifference to politics can control one-third of the house. Hereafter, if this mistake is committed, the situation will be reversed. Instead of the hostile forces of wealth, indifference, and ignorance having to control two-thirds of the House, which they have finally succeeded in doing, hereafter they will be secure if they control only one-third. Hence it behooves the State to be extremely careful, for it may not find any place of repentance, “even though it seek it bitterly with tears.”

Now, what are the significant events of our times? On the one hand there is the upward movement of labor. On the other is the aggregation of capital. Each of these is accompanied by organization such as was never heard of in the centuries bygone. Beneath both movements, then, is the common form of progress by organization. Outside of these realms of labor and capital, the same spirit of the age is everywhere active. Societies, clubs, leagues, unions and associations for all sorts of purposes, among both sexes,

are multiplying all over the country, and extending their ramifications into the remote villages. Organization is the spirit of the times. This means that the human individual, the ultimate atom of the State, is seized upon by the vital force of the State and assimilated into its structure, fitted to a place, made to do its service, and entitled in turn to receive the service of all the other parts.

The life-principle of the State is superior to any and all atoms of which the State is composed and in which it inheres. Time is its field of action, and the human race is its material. It sweeps onward, beyond the control of men and beyond their understanding. Glimpses of its course can be seen by studying the developments of recent years. Its mighty movements are revealed only by following that course from antiquity. It moves resistlessly upon the generations. It is that which inspired the lines:—

“Though the mills of God grind slowly,
Yet they grind exceeding small.”

In our age it is slowly raising the oppressed. It is moulding the forces in human society so that the organism, the State itself, shall dominate every atom in it. This means that the labor of the State, on the one hand, and the wealth, on the other, are to be subordinated to the welfare of the common whole. Corporations must be regulated. Labor must be directed intelligently. In the development of the times, we have come to the breaking down of the old system of competition. The old political economy is passing away. Combinations, trusts, monopolies, still selfish interests seeking their advantage at whatever cost to others, strive to dominate the whole people for the enrichment of

their treasuries. Organized labor, defiant of the tyranny of capital, demands its share of the good things of life. Each side is striving for mastery, for prosperity, for ease. Each is struggling for selfish gain, not seeking unselfishly the perfect development of the State as a whole. Labor has justice on its side in its resistance to the selfish indifference of wealth, and capital will find its self-preservation in realizing its true unity with labor. It is a frequent plea, and a sound one, that the interests of labor are identical with the interests of capital; but justice requires that hereafter the equation be turned the other end around at least half the time, and the truth be emphasized that the interests of capital are identical with the interests of labor.

The interests of labor and capital are both wrapped up in the normal development of the State, in the promotion of that organization which is the distinctive spirit of our times. This organization is going on faster now than ever before. Never before did the spirit of the times seem to be so well equipped and so ready to face the problem of subordinating the leaders of capital to their place as servants of the body politic. The corporation acts of 1894 were a distinct step forward in the solution of this problem, and they have a sociological importance which was never hinted at by their advocates. The corporations feel this State-spirit grappling them. They fear for their future. They realize that their existence in the old way is threatened. Alarmed, they are trying to defy the State-spirit; they would deceive and baffle the people who do not realize the bearing of this era in the growth of civilization, who do not see how momentous are these times for the whole political organism. Capital sees that at last the organic

force of mankind is enveloping and assimilating it, and that the coming years are portentous of a mighty conflict. It is the robber barons contending against the civilized forces of the communities which they have hitherto dominated in their lordly fashion with none strong enough to overcome, and many so servile that they aid and abet.

This is the great political issue of the times, — great beyond the significance of any present political party. This is the problem which demands the highest quality of statesmanship, the most unselfish activity, the most energetic and skilful leadership. The leaders of the people's cause are few. They are disorganized. They are not in good standing, in these days when wealth is the great power in politics, and when dress, manners, fashion, frivolity, and sensation are the matters of most concern, even for the classes who have most to gain by the onward march of the organizing spirit of mankind. The contest is urgent. We were never so near its solution as now. The growing control of corporations, the regulation of railroads, telegraph companies, gas companies and the like by the government, the transaction of lighting business by municipalities, the carrying of the mails by the government, the maintenance of schools and highways by the State, instead of by private persons, as formerly, — all these are significant steps in the organic development which will yet, with powerful grasp, compel wealth to serve the people without injuring them, and will protect labor while giving it its just share, and no more, in the products of its toil.

This State-spirit is exceedingly active. Every year it forces upon the people more business of a public nature than they can attend to. Legislative methods are con-

stantly improved, but the business gains on the improvements. The needs of the people, their rational, imperative needs in their organic capacity, grow faster than their representatives can attend to them. Biennial sessions of the legislature seem ridiculous to any one who has given even a superficial thought to the number and quality of matters proposed. But, to be up to the times, the legislature should have some relation to the business before it, not have been elected a year before, when many issues were unknown. If ever there was a time for biennials of either sort, it is far in the past. The urgent character of present needs demands frequent sessions, with legislators elected upon the issues to be considered at the time.

Hence, in the broadest possible view of the State as an organic whole, seeing the mighty events of the times and their vital importance to the State in all future years, it would be the height of folly to refuse attention to the needs of the people, to play into the hands of those who hope to gain selfishly by obstructing the development of the State, and to diminish the activity of the political body by one half. Give us annual elections; let the State-spirit have full sway; let the will of the whole people, intelligently ruling over all forces in the political organism, subordinate each to its place in the body politic, — the servant of the whole, and sharer in the prosperity of all.

IV.

THE GREEN LEGISLATURE.

THE friends of biennials abandoned, in 1896, their stock arguments of previous years, upon which they realized at last that it was hopeless to rely to convert the public, and put their whole strength, with slight exception, upon two alone. The business men said that the State could not stand the expense and interruption to business; but the chief reliance was upon the plea that by the biennial system the State would secure better legislation. As this is a particularly weak reliance, it may be dismissed briefly by pointing out its fallacies.

One phase of the argument is that in the first session of the biennial legislature the members will think over matters carefully, sort them out, and put off to the second session such as seem to require much deliberation. By that time the issues will have become well seasoned in their minds, the members will have acquired legislative experience, and business will be despatched in better form and in shorter time. But if ever there were a theory worthy of a practical man's contempt, this is it. Most of the business which is presented to the legislature is too urgent to wait a year for its transaction. The people are the petitioners. They demand that their business be attended to speedily. They would surely raise a breeze about the

ears of the member who should deliberately postpone their concerns to another year, which would bring its full load of new business, making it all the more difficult for them to secure due attention,—for it is not proposed that the new business which is sure to rush in as a flood into the second year of the biennial legislature shall, any of it, be postponed to the first year of the following legislature. Practically, the first session of the legislature would be filled with satisfying the popular demands. It would be impossible to make any material gain by postponement.

But, if the theory were put into practice against the wishes of the people, then the scenes which would surely present themselves at the second session would demonstrate, before the session was one month old, the utter breaking-down of the fine theory. Every year brings its new mass of urgent and legitimate wants. Any one who has looked, even superficially, into the facts, knows that this is the truth beyond question, and that the current talk about the needless character of the legislation brought to the General Court is essentially without foundation. Even in the first biennial legislature itself the mischievousness of the two-year system would show itself, beyond question, to the serious injury of public and private interests.

But it would be in the first year of the new biennial legislature that the great calamity of the change would be revealed. It would consist of the almost wholly inexperienced character of the senators and representatives who had been elected to do the legislative business of the public. Abundant reason to fear this most unfortunate situation is found in the political habits of our people. It is very common for them to re-elect members from the cities and large

towns for two terms. Thus every legislature under the annual system contains a material proportion of experienced members. They are enough to carry on the movements of the two branches while they are in session. They are sufficient to supply all of the committees with experienced chairmen, besides several more to stand near the head of the committee. They know the rules and traditions of the House and Senate more or less accurately, and are sufficient to take the brunt of the work while the new members are becoming familiar with the rules, with the subject-matter of legislation, and with each other. In the House of 1896 were 104 who had been in the House of 1895, while the Senate of 1896 had only three members without legislative experience. In this way the volume of experienced men leavens the inexperienced mass. Usually the new men are cautious about displaying their lack of familiarity with the rules, and the old members guide proceedings, practically, far out of their numerical proportion. Under the biennial system this proportion of experienced men would disappear. Scarcely a new man would be given a second term. This is a sound prediction to make, for it is based upon the political practices of the people, which are founded in human nature, in the ambition of individuals, and in the jealousy of municipalities for their share of political rights, —jealousies which are stronger than personal ambitions, and which are sure to have potent consequences in the election of representatives. Under the biennial system it is probable that men would be elected for a second term even less than are now elected for three terms in succession, for a re-election would mean four years of consecutive service, whereas if the term is only one year, and the people know

that the choice will return to their hands again after one year, they will be the more ready to give a third term to a particularly worthy representative. But with a return to the people only after two years, they would be more likely to refuse so long a second term to a man who had already been two years in office.

That this is a sound judgment is evident from the experience of Vermont, for one instance. The Senate consists of thirty members and the House of two hundred and thirty-three. In Massachusetts the Senate consists of forty and the House of two hundred and forty; so the circumstances are nearly parallel. In 1868, the last year in which elections occurred in Vermont under the annual system, there were re-elected eleven senators and ninety-six representatives. In 1890, under the biennial system, there were re-elected no senators and only four representatives. In 1892 there were re-elected three senators and fourteen representatives. In 1894 there were re-elected no senators and only nine representatives.

Such is the proportion of inexperience to experience which may reasonably be predicted for Massachusetts under the biennial system.

Does Massachusetts want to commit this costly and dangerous mistake? - Not enough members would be re-elected to carry on the proceedings with even a tolerable approach to the present degree of dispatch, which is itself criticised, with reason, for lack of system and energy. Not nearly enough members would be re-elected to fill the chairmanships of committees, to say nothing about the other places. Lack of knowledge would be encountered at every stage. Where there is now one error in the laws, then

there would be ten. Where now lawyers are exasperated and courts are perplexed by confused legislation, the exasperation would be multiplied, and the perplexity would become more entangling. These errors would not only stand forth for the succeeding legislature to correct, though it would have so little experience of its own, and be sinning so grievously on its own account, that it could not skilfully amend the acts of its predecessors, but the blunders and inconsistencies would be cropping out after ten, twenty, and fifty years. The entire body of law would be tinctured with imperfections inserted at many essential spots. The risks to great property interests, the hazards of legal formalities, the uncertainties about the standing of capital, would be many, unknown, and the cause of ceaseless anxiety. Truly they would increase the toils of the lawyers and multiply the annoyances and expense of the people. One single act might cost the State more than the expense of State elections for a dozen years. Yet the argument of better legislation is that which, weak and limp, has been advanced by the biennialists as a substitute for the discarded pleas for a longer term for the executive and for a larger popular vote.

If anything is certain under the biennial system it is this sure deterioration in the quality of the legislature, and the consequent damage to the many interests which need even better talents than are now at their service. There is no approach to equality between the probable loss and the supposed gain. It cannot be that Massachusetts will be so foolish as to put such a worthless and dangerous system into her Constitution.

V.

EDUCATION BY FREQUENT ELECTIONS.

ONE amazing step was taken in 1896 by the promoters of the biennial amendment. The argument from the educational value of political discussions, which was the chief point of the old-time opponents of biennials, such as Adin Thayer and Alanson W. Beard, and has always been admitted, to some extent, by the other side, was openly disregarded. It was positively affirmed by some of the speakers for the amendment, at the hearing, that there is no educational value in a political campaign, and this was emphasized on the floor of the House by a speaker who declared that it was not the function of Massachusetts to keep a political kindergarten; that if foreigners came here ignorant, it was for them to accommodate themselves to the practices of Massachusetts, it was not for Massachusetts to change her practices on their account.

This educational argument is so old and familiar that it need be mentioned here only for the purpose of insisting upon its strength and its high importance. It is an argument which does not lose its force with repetition, though its opponents may become weary of it. Moreover, it applies not only to the foreign voters who come to Massachusetts, but also, with strong force, to every voter in the State. Under our annual system, how many are the times when a voter can express himself upon the policy of the

State, or say who are the men best fitted to administer her affairs? In the entire course of the average life, from the day the voter is twenty-one to the day of his death, how many opportunities does he have to vote upon State issues, even under our annual system? How much time is he required to give to the State which protects him from the cradle through his active career, which furnishes the foundation upon which he rears his financial fortune, which secures the peace under whose fostering protection he rears and educates his family, which subordinates the inventions and powers of man to the service of man so that he who loyally takes his place in this organism gets out of it far more than he can possibly give to it? The opportunities are comparatively few. The service is slight. The State is great. The consequences of a sound political administration are unspeakable.

Above one's duty to self or family is his duty to the State. In the right discharge of his duty to his fellow-man lies the right discharge of his duty to God. The State rightfully demands from every voter a trained political judgment, a quick perception of what is for her prosperity, what is for the establishment of justice for all classes of citizens without distinction between the rich and poor, the weak and the strong. In the rapidly growing complexity of our political organism, we must all give more time to politics than in the past. We are bound in duty to be faithful politicians, — not politicians interested only in petty struggles between the outs and the ins, but devoted to the largest prosperity and most substantial growth of the political body, scorning petty partisan politics, rising above the plane of present political activity of the baser

sort, forcing the buccaneers of politics down to their deserved insignificance, and acting at all times upon broad, non-partisan lines for the development of the political body.

Now, political judgment grows by exercise. Is it reasonable to suppose that in the line of mental endowments here is an exception to the rule which demands exercise for the promotion of strength? It is so clear that it needs only attention to make it certain that political faculties, like other mental qualities, are promoted by exercise. The issues at stake in a political campaign are the most important in a man's existence, except those involved in his personal relation to his Maker. They demand the utmost fund of information, the most thorough knowledge of public men and public events, the ability to discern between the true and the false, determination to adhere to the right, no matter what man or party calls upon him to subordinate his judgment or his conscience, unselfish activity for the public good at the expense of his ease or pocket. Once in a year is none too often for giving large attention to public concerns. Once in a year is none too often to exercise the freeman's right and prerogative of passing judgment upon the men and measures of the times. It is the exercise of the power which makes it effective. Anything short of the actual vote is likely to leave the problem as a mere theoretical discussion to the determination of which the mind is not forced. There would be no responsibility of action, hence there would be no obligation to think and study. By frequent action the political judgment becomes clear and decisive. It has confidence in itself. It discriminates by its action far more than it would in a mere theoretical discussion between the true and the false.

On the other hand, disuse of mind, like disuse of muscles, tends to flabbiness and inefficiency. The discrimination between the real issues of the election would not be as keen, whether the voter be a recent immigrant or a native of the soil. There would be less familiarity with the essence of the issue before the people. There would be far more liability to become confused by the assertions of political pleaders and more liability to yield to the appeals of party managers. Both judgment and will would become enfeebled, and the public and the individual would both suffer in consequence. There is no possible escape from these consequences under biennials, for the laws of mind are as rigorous and as persistent as the laws of matter, and the judgment which is not specialized cannot deal rightly with a speciality. Politics is destined to become more of a speciality with us than in the past. The development of the political organism demands more thought from the average voter. It is yearly becoming more perilous to the State for the people to neglect their political functions and to fail to specialize their political judgment. More questions than ever before are pressing for solution. It is culpable for the citizen to neglect the demands of the State for the sake of avoiding the trouble of voting, or the slight expense of an election. Oh, the folly of the plea that is made for less frequent attention to political affairs! How it betrays the present neglect on the part of those who make it, and the need that they give more attention to the affairs of the State!

But the foreign element of our population is large enough to demand consideration, apart from these reasons which apply to the entire population. It is a narrow view which

looks upon the State as so much aloof from mankind that she need pay no attention to the political condition of those who come to her shores. In the sublime mission of the American republic for the elevation of mankind, the poor and oppressed from all lands are sure to arrive within our borders. With the spirit of Christianity and with supreme confidence in the stability of our democratic institutions we welcome them. But we recognize that they have not had such a past as those who have inherited by birth the prizes of the Anglo-Saxon struggle for liberty, and have not been reared amid the influences of Plymouth Rock and Bunker Hill. For the elevation of humanity and for the promotion of the prosperity of our own people, we have decided that the suffrage shall be granted under certain qualifications. We believe that it is for the good of the voter, as well as for the good of the State, that this standard be established. When the foreigner is able to comply with our qualifications, then he is entitled to the suffrage under our laws. But much of that foreign vote is inexpert, untrained in Massachusetts politics, unfamiliar with our past, incompetent to form a correct conception at once of our political issues. Personal discussion enlightens this foreign vote quickly. It has a force and directness which cannot be gained by newspaper articles. It appeals to men who cannot for themselves estimate the relative bearing of forces. Though the complications of partisan politics enter into the campaigns to confuse and warp the argument, yet the necessity of so fair a discussion that the main facts cannot be successfully denied is upon the party speakers. The voters are stimulated as they never would be by reading. They think and balance contradictory pleadings as they

would not over an impersonal article. Their judgment is quickened as it would not be by infrequent appeals. There is developed a spirit of watchfulness over public officials, a disposition to hold them to a strict personal account, a sense of the direct interest which each voter has in efficient and honest government, which holds from year to year, and goes to develop a soundness of political judgment which would be lost if the elections came only once in two years.

The force of this view is increased by the consideration that there is so large a foreign element in Massachusetts. Boston is more than half composed of those of foreign birth or of foreign ancestry in the last generation. This proportion is approximated in other cities, and there is a large infusion of the foreign element all over the State. These people are here to stay. They are to be assimilated. They are to be moulded over by the spirit of Massachusetts institutions. They are to be filled with loyalty to Massachusetts interests. By as much as they are not familiar with our institutions, by as much as their habits of thought are slow, by as much as their political faculties have not been developed in the countries whence they have come, by so much the more do they need that training of political judgment which comes only by attention to public affairs and by an expression of their personal opinion in the act of voting.

In contrast with this the biennialists set a denial of the efficiency of a campaign as a political educator, and urge that we have too much politics, and that it costs too much. Was ever so feeble and untrue a pretence set up against an imperative political duty, and a policy of the highest political importance?

VI.

STATE ISSUES IGNORED.

OURS is a government by the people. The sum of all the available intelligence in the State, enforced by all the power in the will of all the people united, is the directing energy in our State development. But, even then, were all possible human intelligence enforced by the most vigorous united will, at the service of the State, it would be insufficient to meet the demands upon it for the solution of the problems of the organic development of humanity, and for carrying into successful execution the plans of action which the sum of all the intelligence should foresee to be best. The ideal condition would be that in which the intelligence of all the people would be available for every problem which might require the attention of all the people.

But the immense practical difficulties in the way of attaining this ideal prevent now, and doubtless will prevent, for an incalculable future, a decision of the people upon every concern within the province of the State as a whole. Government must be by representatives of the people,—by a few men giving their thought to State questions, and embodying the will of the people as far as practicable, carrying out the instructions of the people upon the comparatively few matters upon which instructions can be given in political campaigns, and relying upon their polit-

ical judgment and honesty for the solution of those questions upon which they do not have the instructions of the people.

Now it is a truth which no one familiar with the business which the people bring to the State House will for a moment deny, that there is a vast mass of new and necessary matters brought in every year. The legislation of each session is essentially different from that of any other. Upon the most important of these matters there has probably been some expression of popular opinion. It is the testimony of the leading agitator for biennials that the interest in local elections for members of the legislature adds, perceptibly, to the total of the vote in the off years. Here is a point upon which both sides will agree, that there is an interest in legislative issues apart from that in the State ticket which is of perceptible influence in the total result. On this account the elections should be frequent enough to permit the intelligence and will of the people in the several representative districts to have an adequate expression. But the constancy of change in the issues which are before the people is itself a demonstration that once in a year is none too often for an opportunity to vote upon the election of a representative in the legislature. Here is a simple question of fact which can be determined by any one by a study of the twelve hundred to thirteen hundred separate matters which come before the legislature annually, by distributing them among the several representative districts where they originated, and seeing how necessary they are to the prosperity of the people. •

But, in addition to the local interests, which in themselves are sufficient to demand an annual election of repre-

sentatives to the legislature, there are the broader and greater interests of the State as a whole. These are, at this particular epoch in our development, of surpassing moment. The combination and consolidation of corporations on the one hand, and the organization and efficiency of labor interests on the other, the growing, imperative nature of the question for the State to solve, whether its people shall rule over the immense power of selfish wealth or be ruled by it, the increasing multiplicity of inventions, changing the possibilities of business and overthrowing conservative practices, the enlarging scope of reformatory and charitable work,— these, and a thousand other avenues of State activity, tell the entire people in mandatory tones that public interests are too numerous, too prodigious, and too vital to be neglected for any urgency of private business or for the indulgence of any desire for recreation. Our times are more sober and momentous than those of any previous epoch. It would be folly to neglect these issues.

If any student of this biennial problem will look over the platforms of the two great parties for the last ten years in Massachusetts, he will find that national issues have largely overshadowed those of State concern only. Not only has this been the fact in the presidential and congressional years, but in the off years, when only State officials and members of the legislature were to be elected, State issues have been subordinate to national. This illustrates how prone political managers are to pull on the strings which they think most certain to bring in the votes, no matter whether the issues presented are the most pertinent. Partisanship is deliberately brought into play to the sacrifice of State concerns. Now, put with this truth the truth

in our opening sentences, that the progress of the State is to be made by getting the opinion of the people as separately as possible and as intelligently as possible upon the several issues which are before them. Separate verdicts of the people, according to the questions before them, are the chief desideratum in an election. In each case the fullest opportunity ought to be given for the triumph of the merits of the case, unobscured by any trading for votes, by any log-rolling, by any confounding of issues, or by any appeals to partisan prejudice or passion. It is essential for the progress of the State that it have the benefit of the intelligence of its citizens to the largest possible extent. Anything which cripples this expression of the popular intelligence, anything which gives the people less opportunity to pass upon the merits of each issue separately, anything which makes it impossible for them to express their honest judgment, is just so much of a hindrance to the development of the State. It is just so much of a delay in the introduction of better methods of administration, so much of a prop to unworthy partisanship, so much of an obstacle in the attainment of justice between men, so much of a hindrance to the upward progress of the weaker and unjustly treated classes in the State. Hence it is a most serious concern that a change in the Constitution is proposed which will forever put State issues in the rear, which will obscure them with national concerns, which will make it totally impossible from this time on ever to procure an intelligent judgment of the people upon State issues alone. And this, too, at the very time when it is more essential than ever before in the history of the State that there should be particular attention paid to State matters.

As far as the mass of the voters are concerned, they will vote the one party ticket or the other. It is true that there is considerable independent voting. It is true that there is enough of it in Massachusetts to furnish exceptions to the rule of party success. But the general truth is that voters take either one party ticket or the other. The split tickets are numerically few compared with the straight ones. Now consider, in the light of this fact, where this biennial proposition leaves the State. At every election national and State issues would be pending. The object of the election is to get the intelligence of the people, as a whole, upon the course pursued in national and State politics. At this epoch we have pending the issues of the tariff, the currency, the foreign policy of the government, the efficiency of the internal administration. At all times the pending issues will be further complicated by issues personal to the candidates,—their ability to administer the national affairs and their character as men of purity and integrity. Upon all these different points the verdict of the people is supposed to be registered by the election. But these several distinct national questions are to be further complicated by matters of great moment in our State administration. How shall the corporations be made subservient to the good of the people; what shall be the relation of the executive to the heads of departments; what of the existence and functions of the executive council; what about the responsibility of the departments and commissions; what of the tendency of the times for the State to enter more than ever into the daily living of the people in a business sense; what of the public school policy; what of the proposed solicitor-general for the people to defend their interests as their special

representative; what of the development of our metropolitan systems which are beginning to show their heads not only in Boston, but also in Worcester and Springfield, and will appear at every point where the density of population suggests a consolidation of municipalities rather than further subdivision; what of the suffrage and its extension and regulation; what of the rescue of the legislature from the few, and making it subservient to the many by having its presiding officers elected by the people at large; what of our textile, normal, and manual training schools; what of many other questions which are now, or soon will be at stake in our State campaigns? Yet, under the proposed biennial system, the verdict of the voter upon these many questions of national administration and character, plus many more State issues of development, as well as the character and capacity of the State candidates, would be expressed by one "X" on the Australian ballot. All these matters are to be lumped together, and the voter must say yes or no to the entire lot, and that is to be interpreted as his opinion on each. Our present system is confused enough, but this would be tenfold worse. If ever a scheme were concocted in a lunatic asylum it would seem as if this must be the one. It would be impossible to believe that intelligent citizens could be so blind were not the foolish and perilous proposition actually pending before the people for their verdict. It is a most fitting time to recall the prayer on our governors' proclamations: "God save the Commonwealth of Massachusetts."

VII.

THE BUSINESS MEN.

IN the presentation to the legislature, and particularly to the committee on constitutional amendments, of the case for biennial elections, much emphasis was placed upon the position of the business men. They demand biennials. Their representatives were present in force from all parts of the State, from the leading interests in the realms of industry and commerce, and they were a unit in their opinion that it would be for the good of the State to have elections only once in two years. Officers and members of the State Board of Trade, representatives of local boards of trade, each present by vote of his board,—all combined to impress upon the committee the unanimous request of the business men of Massachusetts. Cottons and woolens, hides and leather, paints and oils, crockery and glassware raised their harmonious voice for biennial elections.

They assumed to speak for Massachusetts, for Massachusetts is a great business State. Their claims are admitted in many quarters in this degenerate age of the worship of the business man, and it has been assumed by many, apparently, that what they say must be sound political doctrine. They want biennial elections because annual elections disturb business, because the expense is more than the business interests of the State can endure, because the

thoughts of the people are taken up too much with politics when they ought to be devoted to business affairs. In the minds of these petitioners, the interests of the State are wholly bound up in business, and whatever "business" demands should be granted.

But the people at large, who have the right and the duty to pass upon this "business" argument, will not fail to observe that not one solitary man of all the business representatives, from cotton to glassware, gave a hint of a fact, in any degree, to show that annual State elections injure business. If they had said that the interference of Congress with the currency, and the tariff, and internal revenue had an effect upon business, they would have made a plausible case. But not one word was said, and if it could have been said, surely it would have been, to show that the condition of business is affected either by State legislation, or by the campaigns of the off years, when national issues are pending only indirectly. If the loss to business is so serious that the practice of the State for one hundred and fifteen years must be overturned, and the many advantages of frequent elections are to be sacrificed, surely there must be some financial statement approximately adequate to the case. Let the business men show how much they suffer from national campaigns. Let them separate the losses from national and State causes, so that the people can have some idea of their relative amounts. The business men are familiar with figures. They are accustomed to tracing effects from causes in the financial world. Their minds are keener than the average citizen's in analyzing the many factors which enter into the market value of a product. Let them put their unsupported and improbable assertions

into the language of their own trade, so that they may have a clear idea of what they are telling the public, and so that the public may know how many dollars of money are to be offset, in this great contest, against the rights and liberties of the people and the responsibility of legislators to their constituents.

While they are preparing the figures which they forgot to give, it is pertinent to analyze their testimony. It reveals so discreditable an attitude among the business men that it is only the truth to say, considering the vital relation of these leaders in trade to the body politic, considering the corrupt and degenerate elements in city governments, considering the decline in the legislature, and considering the growing power of wealth in politics, that the appearance and arguments of these representative business men before the committee on constitutional amendments was the most disgraceful sight which has been seen at the State House in this generation.

Not one man of them showed familiarity with political affairs. Not one of them expressed a thought for the good of the State as a whole, except as it was related to business in the money-making sense. Not one showed any conception of the State as a great organic body, with its needs, as a whole, involving the welfare of every citizen. Not one recognized any other interest than his own narrow circle of money-making. Each one, with his eagle eye sharply fixed on the almighty dollar, regarded that time lost which was taken from "business" in order that citizens might become better informed regarding their political rights and duties, and better skilled in right political practices. From beginning to end, their testimony was narrow, selfish,

absorbed in themselves as the gods who rule the State, thoughtless of other interests and ignorant of the elements of political knowledge. Such a spectacle was never before witnessed under the dome, and such is the wisdom which is appealed to as the only guide for the most highly organized political body in the land!

This spectacle of the business men is so vital to this case, and is so pertinent to political evils of the times, that it ought to be examined further. It is a phase of the withdrawal from politics of the leading men in city and State. Its complement is the presence in the chairs of councilmen, aldermen, and legislators, which the business men have abandoned in their selfish pursuit of money, of inferior, unprincipled men, who corrupt the halls of legislation and bring scandal upon the legislatures of cities and States. One phase of their folly is the present condition of the United States Senate, tainted with men who have made their fortunes, and have, with them, bought their way into the highest representative seats in the nation. The discredit which now attaches in the popular mind to the United States Senate would not exist if the highest ability in the country were unselfishly at the country's service, trained to exalted position by experience in the common councils and aldermanic boards of our cities, and in the assemblies and senates of our legislatures.

These business men who appeared for biennials are representatives of a large class who are guilty of neglecting political affairs. Boston itself demonstrates their selfish withdrawal from politics, and their surrender to men who have less opportunity than they to train themselves for public service. A part of the evidence of the petitioners

at the hearing in 1896, to show the indifference of the people to politics in the off years, was that, at the city election in Boston, in 1895, the ward which contains more solid business men than any other part of the State cast only sixty-four per cent. of the assessed vote, and that at the caucus to nominate republican candidates only eighty-seven men were present, or about four per cent. of the assessed vote, and about seven per cent. of the party vote.

In the State election of 1895, the percentage of vote cast to the registered vote was as follows in the wards of Boston: Ward 1, .765; Ward 2, .768; Ward 3, .763; Ward 4, .812; Ward 5, .777; Ward 6, .877; Ward 7, .819; Ward 8, .840; Ward 9, .747; Ward 10, .832; Ward 11, .726; Ward 12, .809; Ward 13, .781; Ward 14, .795; Ward 15, .809; Ward 16, .823; Ward 17, .817; Ward 18, .803; Ward 19, .771; Ward 20, .829; Ward 21, .782; Ward 22, .791; Ward 23, .782; Ward 24, .767; Ward 25, .835; average for the whole city, .791. Now here is a variation from .726 per cent. to .877, and this difference of fifteen per cent. is between the aristocratic Back Bay and the democratic North End,—the foreign population in the latter being very large. The general truth runs through the entire list that it is the rich wards which show the smallest per cent., and the poor ones where the people prove their greater interest in political contests. It is the people who neglect their public duties, comparatively, who are the backbone of the biennial strength, and those who attend to them who are the mass of the opposition, and the division comes near to running on class lines, to the shame of the petitioners.

This guilt and folly of our business men is vital. Unless it is overcome by a regeneration of unselfish devotion to

the public good, the corruption of wealth, the exactions of monopolies and trusts, the oppression of the working classes, and the bribing of even our colleges by moneyed capitalists, will continue. Many efforts at municipal reform are proposed by philanthropists who are mistakenly applying remedies at the wrong place. If these leading business men, honest and capable as they are, were at the desks of common councilmen and aldermen, with a vote and a legal constituency at their back, there would be no agitation for municipal cabinets, or single legislative chambers, or biennial terms, or other nostrums for serious political evils. Under our democratic system, under every right democracy, one man is as truly a political unit as another as long as he is out of jail, and no matter how ingenious be the machine constructed by the philanthropists and reformers to keep the rascals out of office and to give the saints the snug and quiet management of political affairs, sooner or later the rascals will surely get hold of that machine, and its efficiency will return to plague its inventors. The constant, unselfish interest of the leading men in the details of local politics is all that can prevent this unfortunate result.

A demonstration of the power of the people when they are aroused has been seen in New York. When they wanted to turn out Tammany, they did it. That very act was a complete proof that all the corruption which provoked it was made possible only by the neglect of the very men who dethroned it. Had they done their simple and plain political duty at every city election, there would have been no such abomination of iniquity as made New York a byword and shame to popular government.

So it is in every city. Every one can have good government if it really wants it. If it does not have it, the fault rests upon the leading men, who are so absorbed in business that they abandon politics to the rascals, and then expect that the government will be pure. Corruption in municipal and State affairs, degeneracy in city councils and legislatures, of which the public complain, inefficiency which rolls up debts and accomplishes little, are chargeable, rightly, to the business men, who, with power to prevent these evils, who would prevent them if they only did their simple political duty, permit them to thrive unchecked. To continue this wickedness on the part of business men is to permit, as was permitted in New York, utter perversion of justice in the courts, the moral rottenness of the police force, the social corruption due to flaunting vileness, the extortion and extravagance of incompetent and infamous politicians, and the general demoralization of the political body.

No more accurate and condensed statement of the creed of business men can probably be found than that in a recent public utterance of a business representative of the biennial side of the problem. He said: "The chief purpose of the government is to keep the peace and enable our people to attend to their private affairs." This view is doubtless held by many who have thought little about the recent wonderful developments in our legislature. It is the creed of the old school, who hold that to be the best government which governs least. It is a part of an outgrown political philosophy which cannot stand for a moment under the test of recent progress, and is shown to be wholly false when set in the light of the great truth that the State is a grow-

ing organism, in which the health and prosperity of each part is rightfully the concern of all.

But the business men, withdrawing from politics because it interferes with the pursuit of wealth, their political senses blunted by lack of training in public matters, indifferent to the needs of the political body, provided they enjoy their luxury and ostentation, practise this doctrine, that "the chief purpose of the government is to keep the peace and enable our people to attend to their private affairs," reckless of the consequences to those who are less equipped for the struggle for a competence, or who are more unselfish in their devotion to the public good.

These men cry for biennial elections. They want biennial legislative sessions, unmindful of the calamities to the mass of the people which would follow the application of the business men's creed. Suppose the people grant their demands. Let there be no advanced legislation, and let the judgment and conscience of business men determine what is best. Let corporations be released from salutary regulations to compel them to be subservient to the public good as well as to stockholders' pockets. Let savings banks invest the hard-earned gains of poor depositors in whatever hazard they please, free from State law or State supervision. Let beef-fat and cotton-seed oil be sold for butter to the making of fortunes for thrifty swindlers. Let endowment orders, tolerated freely by law, cheat poor clerks and ignorant domestics out of all their savings to the enrichment of men, some of whom are now in prison. Let Mrs. Howe's women's banks open for business in every city, paying interest to credulous depositors out of new deposits till all are involved in the final catastrophe. Let

strikes and lockouts waste the money and energies of employers and employees with no Board of Arbitration to invoke the reign of reason and peace. Let sweat-shops inflict wretchedness upon their occupants and carry foul disease into the homes of their patrons. Let gas companies compete in ruinous rivalry till the public is forced to pay the cost into the hands of a monopolist combination. Let fraud rule at the ballot-box where no Australian system is known. Let long hours and bad ventilation sap the strength and shorten the lives of thousands of employees. Let cholera spread, unrestrained by State regulation, and let tuberculosis, ravaging the herds of the farmers, infect unsuspecting human victims with deadly disease. Let typhoid fever poison the sources of water-supply with no investigation by the State Board of Health. Let employers discharge their workmen if they belong to a labor union. Let shop-girls be compelled by cruel employers to stand for hours, without once sitting, exhausting their frames, and permanently unfitting them for motherhood. Let there be no employer's liability law to compel justice to be done by reckless corporations to those who have been deprived of support and have been bereaved of husband and father by their deliberate neglect. Let switchmen's feet be cut off when they are caught in unprotected frogs or switches. Let whirling machinery, unchecked, dash out the brains and tear asunder the bodies of entangled unfortunates. Let railroad companies, uncompelled by the State to heat their passenger cars by steam, return to the deadly car stove, roasting men and women alive in the wrecks of overturned trains. Let safety couplers be abolished, and the annual slaughter of hapless brakemen go ruthlessly on. In short,

wipe out all these recent gains to the State, and return to the good old times, and to

The simple plan
That they should take who have the power
And they should keep who can.

Let the unscientific fall victims to nature's contagions and pestilences. Let ignorant thousands, outwitted and defrauded, become the helpless prey of educated knaves. Let the weak be robbed by the strong. Let orphans plead, and widows weep, and corpses rot in the path of negligent employers, but don't disturb the business men in their pious worship of the money god, because, "the chief purpose of government is to keep the peace and enable our people to attend to their private affairs."

Oh, the shame of it! Oh, that such ignorance of true politics can audaciously pose as statesmanship, and such selfish indifference can presumptuously assume to be alone the custodian of the prosperity of the Commonwealth!

Yet this is the era of the worship of the business man; his star is in the ascendant, and "what he says goes."

But why should the public tacitly admit that the business man's judgment is the final criterion of public needs, and unquestioningly assume that what he wants is identical with the people's welfare. The situation in Massachusetts reveals his ignorance of political principles and his indifference to political duties. Is his personal integrity so firm and spotless that it may be safely trusted by the public? Marshall Field, of Chicago, asserts that the standard of business morality is perceptibly lower than it was five years ago, and is steadily sinking, outside of that city as

well as in it, and other leading Chicago merchants agree with him, and a prominent newspaper advocate of biennials in Massachusetts agrees that the charge is true. It adds that under the present system of business competition "the morals of business cannot well be improving." Shall Massachusetts submit to be ruled by a class tainted by "trickery and dishonesty, and . . . a general lowering of moral standards in business?" Shall not the mass of the people rather, regardless of party, throw off this unworthy domination of men who neither understand politics, nor care for political concerns, nor have clean hands themselves, and assert their own will in the management of their public, but not partisan affairs, subordinating rich and poor alike to the good of the State, and approaching the high ideal of a perfect political organism?

The case of the business man must not be dismissed without making a point which is of itself sufficient reason for rejecting the biennial resolve. If elections came only once in two years the business men, and all others also, would give less thought to politics than ever. Present evils in city and State governments, due to political ignorance and to the abdication by the business men of their rights and duties into the hands of the unprincipled politicians, would be intensified. Public affairs would not be up for discussion. Public officials could not be reached by the people. The political faculties and judgment of the masses would become weakened and blunted by disuse. When they came to be exercised they would be less valid for the right settlement of popular issues, and, as reason lost her place, passion, prejudice, and partisanship would usurp it. The Commonwealth would suffer great detriment. The political

boss would thrive. The political heeler would be in clover, and the voter of independent thought and high patriotic purpose would be in contempt. Nothing but evil would come to the public from biennial elections, and the return path would be trod only with deep pain and humiliation, with no certainty that the priceless benefits of annual elections would ever again be enjoyed.

VIII.

LABOR'S VITAL INTEREST.

FREQUENT among the sneers at the cause of annual elections is that against the interests of labor. In different quarters, with sharp quip or elaborate tirade, or plausible affirmation, it is repeatedly asserted that the real interests of the laboring people are on the side of biennial elections, that the workers are led astray by a few walking delegates who only "work with their mouths," and whose occupation would be gone if they should lose their opportunity for constant agitation. Ridicule and argument are tried alike to convince the laboring people that their concerns would be promoted by less frequent elections. But this is all a device of the enemy, or, in case of an honest assertion, is only the erroneous opinion of one who cannot possibly have given fair attention to the matter.

The laboring men are not mistaken in their desperate clinging to frequent elections as the great source of their improvement. They may not have studied the case in all its bearings, but their judgment and their instincts are right when they refuse to take the advice of those who would deprive them of more than half of their political power, and would tie their hands and leave them dependent for their progress upon the pleasure of those who will give them a share in the surplus of good things only after they

have themselves taken what they want. No more vivid demonstration of the advance of labor under the system of annual elections, and of the close dependence of that advance upon the frequency of the elections, can be found than in the summary of recent labor legislation in Massachusetts. For the last few years we find the following list of acts specially for the benefit of "labor."

In 1888 — the act to regulate the character of deposits in savings banks to the end that the banks should not be used by the rich as a means of safe investment for large sums and be thereby perverted from their primary purpose for the benefit of the laboring people; the act to provide for the incorporation of labor or trade organizations; the act to amend the employers' liability law for the further benefit of the injured person; the amendment of the act to pension members of the Boston fire department; the act to make it impossible to compel women and children to ride in smoking cars; the act for the more humane treatment of women detained at police stations; the act to punish the sending of women or girls to disreputable houses; the act to limit the employment of children under thirteen years of age in factories and stores; the act to limit the number of persons employed in prison labor; and the act to provide better egress from workshops and public buildings in case of fires.

In 1889 — the act to permit the building of cheap homes for the poor by a chartered organization; further regulation of the employment of children; and the act to regulate the attendance of children upon the public schools so as to prevent their being kept from school for the sake of work.

In 1890 — the act to permit minors who cannot read and write in the English language, whose labor is necessary for the support of themselves or of their families, to be excused from attendance at regular public school exercises, provided they attend an evening school; the act to require reports to

be made of accidents in factories and stores; the act to compel communication to be made in factories between the engine-room and rooms where operatives are at work in order that the machinery may be stopped promptly in case of serious accident to the workers (this act was the result of several deaths where operatives were torn horribly by machinery before it could be stopped); the act to punish by a fine of from \$20 to \$50 any one who should compel women and minors to work in factories between ten at night and six in the morning; the act to compel the delivery of schooling certificates on demand; the act to make nine hours a day's work for employees of the State, cities, or towns; the act to raise from twenty to thirty weeks the required attendance upon the public schools; and the act to improve the arbitration act.

In 1891 — the act to forbid the punishment of weavers by fines for imperfect weaving; the act to strengthen the weekly payments law; the act to permit the polls to be open at six o'clock on the morning of election day for the election of State and city officers; the act to prohibit the employment of minors who cannot read the English language, in order that an ignorant class shall not continue to exist in the State; the act to make nine hours a day's work for county employees; the act to break up the unhealthy and oppressive practices of "sweat-shops"; the act to raise to fifteen years the compulsory school age in cities and towns where opportunity is given for industrial education; and the act to extend the opportunities for naturalization so that poor men who have not the money to travel far need not be disfranchised because of such inability when able to pass the required tests.

In 1892 — the act to provide a form of complaint for violation of the laws to regulate the employment of women and minors in manufacturing establishments; the act to permit the recovery of damages under the employers' liability law when there was conscious suffering before the death of the injured person; the act to strengthen the law against sweat-

shops; the act to impose a penalty for the political intimidation of laborers; the 58-hour law for factories; and the act to improve the law against fines for imperfect weaving.

In 1893 — the act to reduce still further the degradation and suffering under the sweat-shop system; the act to extend the employers' liability law to another class of cases; the act to make ten hours in a consecutive twelve, a day's work for the employees of street railway corporations; the act to make nine hours a legal day's work for all persons doing manual labor under any contract in behalf of the State.

In 1894 — the act to save the lives of switchmen by compelling all railroads to put blocks of wood into their frogs and switches; the act to establish the commission on the unemployed; the act to regulate the keeping of lodging houses in Boston so that persons with small means should be no more liable to be searched than guests at large hotels; the act to extend the scope of the act to prevent the intimidation of laborers; the act to compel the attendance of children at school more regularly; the act to extend the employers' liability act still further; the codification of the laws to prevent the discharge of laborers without notice; and the act to compel specifications of their work to be furnished to all weavers in cotton factories.

In 1895 — the act to prevent still more effectively the discharge of laborers; the law to require specifications to be furnished to persons employed in cotton, woolen and worsted factories; the act to require safety appliances to be attached to locomotives and cars; the act to make still more effective the lobby law, besides the law for the establishment of textile schools, which was for the mutual benefit of labor and capital.

Here is a long list in recent years. Not one of these acts originated with the employers of labor. After all that can be said truthfully regarding the desire of employers for the good of their employees, it remains the cold fact to the

working men that their employers never bestir themselves to see that their position before the law is improved. Single-handed they have had to fight their way along the path of progress. Nor let it be for a moment imagined that these issues for which the laboring people are struggling are of small consequence. These acts mean to the laborers better returns for their time and strength, a larger share in the good things of life, the means of commanding lower prices for their groceries and clothing, their enjoyment of more leisure, in which they can improve mind and morals, better means for promoting physical health, better education for their children, better provision for widow and orphan in case of death by accident, better advantages in the struggle of life all along the line. It has been possible to secure these benefits only by constant agitation. The employers will not agitate for them; they must do this work for themselves. Their advance has been secured in all the great acts for their benefit only after repeated defeat, for year after year. But the momentum their cause has gained has finally carried them to success. This momentum, this advantage from work already done, would be largely lost under a system of biennial elections.

That this would be so is strikingly shown by an argument by Governor Brackett in favor of biennials, which was read at the hearing in 1896. He argues for biennial elections and for annual legislative sessions, just as is contemplated by the amendment of 1895 and 1896, and says: "The members would be disposed to postpone to the second session propositions of questionable expediency coming before them at the first, in order that they might have ample time for their consideration. On the other hand, at

the second session they would not be inclined, except in special exigencies, to enter again upon the consideration of questions which had been finally disposed of at the first."

This is a true statement. But it means nothing less than this: that every labor measure which was defeated at the first session of a biennial legislature would be defeated at the second. Struggle as they might, the laboring men would be helpless. The legislature would have passed its verdict once upon their petition, and in the second year their work would fall to the ground fruitless. Now they have the benefit of annual agitation. New men come to the legislature every year. The ground they gained in the first year may be held in part in the second, while from the basis of their old friends re-elected and their persistency they may win enough new ones to make a majority. In this way they have made their progress in the past. Year after year they were defeated on the employers' liability bill. The corporations used their power to the utmost to defeat them. But with renewed vigor they returned to their cause. Finally they were successful, and after they had once established the principle of their act they went on to increase its scope and efficiency. Just so it has been with the ten-hour law, the weekly payments law, and many other laws which have been of unspeakable advantage to them in their hard struggle for the good things of life. Doubtless it is because the corporations see that it will weaken the force of the labor agitation that they are so unanimous in favor of biennials. Corporation power has been used freely in the past against labor legislation. The biennial contest, in a large and true sense, is only a phase of the labor problem. Working men have been

threatened with discharge if they testified at the labor hearings. Witnesses have refused to tell what they knew for fear of being blacklisted. A workman who asked permission of his employer to attend the hearing on the day the labor men were to make their protest against biennials was met with the brutal answer: "If you go, you need n't come back." At least two cases occurred in which labor men were threatened with discharge from employment if they attended the hearing and so showed their desire for annual elections.

But not only does the truth in Governor Brackett's address apply to all labor legislation, but to reform measures of every sort. Is there anywhere in the State any man or body of men who want better political methods, or have some measure for the good of the people which cuts across selfish interests, or are against the conservatism of the day, or strike at the power of aggrandized wealth, no such man or organization can have any hope of success with the legislature in its second year, if the measure of reform has been defeated the first. Has the Boston Municipal League any reform measure? has any ingenious inventor any device for securing a better ballot? is there any way of holding corporations to a closer account in the issue of stock or in the use of street franchises?—if once the opposition can carry the legislature it will hold it the second session also. Exceptions might occur, but men who have gone on record are slow to change unless extra cause can be shown. The odds would be tremendously against any reform or measure in the interest of the people which had to encounter strong corporate opposition.

It is very likely that the failure of the biennialists to

recognize the force of the labor argument arises from the same source as their argument for biennials in general, — their want of knowledge of many important factors in the case, and their superficial assumption that so much politics is unnecessary, and that that is all there is to be said. But there is plenty of official testimony to the high value to the State of the legislation in behalf of the labor interests. To go no further back than the report of the Chief of the District Police, Rufus R. Wade, for 1896, we find this: “Until one has familiarized himself with the history of what are often called the labor laws of our Commonwealth, he can have but an inadequate idea of the large field covered by legislation of this character. . . . It must be conceded by all who are conversant with the history of labor legislation in this country that Massachusetts leads in the attempt to ameliorate the condition of her working population. In no other State is the scope of such legislation so broad and its details so elaborate. Tested by experience it would seem that the results aimed at have been in the main accomplished.”

Further on, page after page of this report emphasizes the benefit to the laboring people of the legislation in their behalf, especially that which has been enacted for the improvement of their education. This phase of the case is worthy of the attention of all who are interested, whether from selfish or philanthropic motives, in the elevation of the poorer classes in the State. No one who studies the progress of the working population can fail to recognize the immense gains they have made in an educational way. It is pertinent to remember, also, that a large proportion of the school children come from the working people, and

that our working population has had, to a large extent, the benefit of our public school system. Now, as to the cash value to the State of our system of education, read the testimony of Prof. William T. Harris, the National Commissioner of Education:—

“I find, by returns made to the National Bureau of Education, that the total amount of school education that each inhabitant of Massachusetts is receiving on an average—basing the calculation on the attendance in public and private schools and the length of the annual school term—is nearly seven years of two hundred days each, while the average given each citizen in the whole nation is only four and three tenths of such years. No other State is giving so much education to its people as Massachusetts, and yet all the education given in all its institutions does not amount on an average to so much as seven eighths of an elementary education of eight years. Even Massachusetts is not over-educating the people. But there would seem to be some connection between the fact that, while her citizens get nearly twice the national average amount of education, her wealth-producing power as compared with other States stands almost in the same ratio, namely (in 1885), at seventy-three cents per day for each man, woman, and child, while the average for the whole nation was only forty cents.”

This passage is quoted by the Secretary of the Massachusetts Board of Education, Mr. Frank A. Hill, in his report for 1896. He adds the following comment:—

“Consider for a moment what is implied in this ratio of seventy-three to forty. It means for every man, woman, and child in the State an average wealth-producing power of thirty-three cents a day in excess of the average of the nation at large, or more than \$100 a year. It means that the 2,500,000

people in Massachusetts produce \$250,000,000 a year more than they would produce if they were only average earners."

What advocate of biennials ever hinted a word of this vital bearing of the case? Yet there is a close connection between the frequent agitation which is possible under the system of annual elections and the progress the working people have made in general labor legislation for their benefit, and especially in their education. Biennial elections mean nothing short of impeded progress, more discomfort, more unhealthfulness, more loss of life, more poverty, more ignorance for many thousands of our people.

But annual elections are so particularly in the interest of the laboring people that they are justified in exerting themselves to the utmost to prevent the adoption of the biennial scheme. If they have any patriotism, any sense of the rights due to them as a class, any hope for the future, any manliness to resist the shackles which would be forged for them, they will oppose this movement with every energy in their power. If this were a case of fighting in arms, they would rally to resist the assault, and with firm ranks would exert their utmost force and courage to defend their liberties. The crisis is none the less because it is to be settled in the field of peace, not by force of arms. Let them fight as resolutely as if in the field of war, contesting every inch of ground which is threatened, energetic, as brave as if in a forlorn hope, driving the opposition before them, and holding their rightful ground by their own firmness and devotion forever.

IX.

THE UNIT OF TIME.

WE may quickly dismiss, as too silly for consideration, the assertion that a consistent friend of annual elections ought to demand elections every six months, or every three months, just as it is too silly to argue that a consistent biennialist ought to favor quadrennials or never-ending terms of service without a return to the people. The friends of annual elections fix the duration of a term as one year because it is a fitting unit of time. This argument has occasioned great hilarity among the biennialists, and no end of immoderate ridicule. It has been asked: "What connection is there between legislation and planetary periodicity? between crops of cabbages and crops of statutes?" Forbearing a tempting retort, it is pertinent to say that if the reasons for a year as a unit of time which are advanced do not seem sufficient, they can be pronounced insufficient only by virtue of a better standard for the length of a term than one year. To make the ridicule forceful there must be some sort of a term, of some length, which does bear a relation to the duties to be performed, to the fitness of the incumbent to perform them, and to the desire of the people to demand an accounting of their political servants. But not a hint of such a superior term was given by the petitioners for biennials. They nowhere gave the slightest

intimation of the length of this ideal period which has no relation to the yearly basis.

Still again, as there are different officers to be chosen, governor, lieutenant-governor, secretary, auditor, treasurer, attorney-general, councillor, senator, and representative, there must be a different ideal term for each wherein there would be a fitness of the time to the duties and to the necessity of a return to the people. But there was not a hint of this in the ridicule of the biennialists. In fact, the petitioners themselves take this same term, between which and crops of cabbages they affirm that there is no connection, and propose two of them instead of one. To this illogical extreme is this ridicule reduced, and, being without wit or wisdom, it vanishes into a sneer which is utterly baseless and has no pertinence to the case, except to reveal the frame of mind which stands against annual elections.

But the friends of annual elections affirm positively that there is reason in the year as a unit of time. Human plans, as a rule, are made with the year as the unit, and human life flows on under this as a primary limitation. Trade and employment depend largely upon the seasons for their phases. Schools and other educational institutions observe the year as their unit. Agriculture recognizes conspicuously this division of time. Town meetings are held to make appropriations on the basis of a year. City affairs are administered on this unit more than any other. In short, a year is the period within which the routine of events in many realms of life returns to the starting point, and there is a fitness that public affairs, which include business questions for State, city, and town, should recog-

nize this universal unit of time. Multiples of this unit are the basis of terms for president, senators, congressmen, governors, and legislators generally. The annual election men assume the burden of proof and claim judgment for their side.

X.

OTHER STATES.

As plausible a plea as any which are advanced by the friends of biennials is that other States have elections once in two years, or less frequently; that the system is successful with them, and therefore it will be in Massachusetts; that out of our seventy million of people nearly all have less frequent elections, and that it is ridiculous and conceited to suppose that our two million five hundred thousand in Massachusetts know more than all the remainder of the country. As the stronghold of the annual-elections cause in Massachusetts has been in the laboring men, particular attention has been paid to them lately, and the example of other States has been cited to prove that the Massachusetts workingmen are mistaken when they cling so desperately to their political rights. More attention was paid in 1896 than ever before to the labor side of the contest, and the biennialists produced evidence from the labor bureaus of Maine, New Hampshire, Connecticut, Maryland, Tennessee, Minnesota, Michigan, North Carolina, Mississippi, Colorado, Nebraska, Indiana, and Montana to show that the laboring people in those States are contented and do not wish for annual sessions. The climax is capped by saying that Commissioner Carroll D. Wright gives assurance that he has never seen any

opposition to biennial elections by labor men except in Massachusetts.

Now this argument for the labor men is easily disposed of. The opinion of Commissioner Wright doubtless expresses the truth, that the Massachusetts laboring men are the only ones in the Union who have opposed biennials. To that statement need be added only the words of Chief Wade of the Massachusetts Bureau of Statistics of Labor in 1896, elsewhere quoted: "It must be conceded by all who are conversant with the history of labor legislation in this country that Massachusetts leads in the attempt to ameliorate the condition of her working population. In no other State is the scope of such legislation so broad and its details so elaborate." These two statements dispose of the labor comparison. On one side is indifference to political rights, duties, and opportunities. On the other is a jealous defence of them, accompanied by greater progress and more benefit to the laboring people than in any other State in the country.

In regard to the other respects in which other States are held up as models for Massachusetts, evidence has been submitted by the petitioners for biennials repeatedly. Two crops of opinions have been gathered and printed to show how much better off the States are with biennials. The first was published some years ago, and covered replies from thirty-three governors and other prominent men who favored biennial elections, or sessions, or both. Of these, sixteen say that the expense and legislation is less under biennials, and give no other reason. Five put their approval wholly on the ground of saving expense; three on the ground that it saves political agitation; one mainly on the ground of

less expense; one wholly on the ground of less legislation; seven give no particular reason, but say that biennials are better, or that the people are satisfied. Not one of them seems to have any idea of the State as a growing organism with a thousand wants, pressing faster than the people can satisfy. The entire group of replies is unworthy of the magnitude of the question, and contains no realization of the immense concerns to labor and capital which are involved. The nature of the replies proves the incompetence of the witnesses, for the vital issues which are concerned do not seem to have entered their thoughts.

The second ingathering of opinions brought replies from twenty-six executive departments. Most of them put their support of biennials on general grounds, seventeen of them properly coming under the classification that the system works well and the people do not want a change, with no more thoughtful consideration of the subject than that. Others say that there is less legislation and less expense than under annual elections, two or three say that agitation is saved and that business is benefited, but most of the detailed support for infrequent elections, when detail is mentioned, is on the ground of expense.

Such is the unworthy character of the testimony which is flourished before the people of Massachusetts to prove that they would be better off with less frequent elections. This testimony is no proof that in the hundreds of points in which the laws come close to the people the citizens of the other States are better served and protected than are those of Massachusetts. This entire correspondence does reveal, however, the ignorance of political development and the disinclination to study politics in the best sense, which

is the shame of Massachusetts business men to-day. Testimony from such a source cannot have weight, for it is tainted with the evil which is at the root of much political inertia and corruption. The testimony is too vague to be any reason why Massachusetts should change her system.

A further fact to be observed in this executive correspondence is that it does not bear upon the system proposed in Massachusetts. In all the twenty-six letters there is not one word upon a system of biennial elections of State officers and of the legislature, with annual legislative sessions. The mass of testimony, more or less vague and impertinent, may at first confuse the reader, who does not stop to think what is proposed here and what is the exact question which the people of Massachusetts have to decide. But there is not a single case in the entire list where a plan is in operation like that which is proposed for Massachusetts. Besides, as much of the testimony is in favor of biennial sessions as of biennial elections, and it is so clearly against the interests of Massachusetts to have biennial sessions that the friends of that change have given up their contest, for the present, at least, until they can carry biennial elections and get the legislature more thoroughly under their control. So the direct testimony in favor of other States as against Massachusetts amounts to nothing, practically, in solving the question of the expediency of biennial elections with annual sessions, while the testimony on the labor phase is directly in favor of Massachusetts.

But the friends of the Massachusetts system need not stop with merely showing that the biennialists have failed to make out a case from the other States. They may confidently assume a burden of proof which does not belong to

them, and assert that the annual system of Massachusetts is an essential feature in the complicated total of forces which make Massachusetts eminent in the sisterhood of States. Abundant evidence is at hand, coming from different departments of our State government.

Massachusetts is a pioneer in legislation. She copies very little from other States, whereas other States copy from her very much. This is well known at the State House. It is a permanent condition. The very illustrations which were given at the hearing to prove that Massachusetts takes precedents from other States and countries — the employers' liability law and the Australian ballot — are just the exceptions which prove the rule. Scarcely anything does Massachusetts take from any other source. She is solving her problems by the light of her own experience and judgment, because so few precedents can be found in other States. She is ready and willing to learn. At no time has there been shown any disposition to reject any aid which can be given by any sister State. But the truth is that other States have not passed legislation, as a rule, which can be a guide for Massachusetts.

She was foremost in the Union to adopt the Australian ballot act. Only one other State to-day has a civil service act, though she passed hers in 1884. Her corporation legislation of 1894 was a pioneer step on which other States shed no light. Her entire body of labor laws is original and advanced. Her educational system is so conspicuous above that of others that commissioners from several foreign countries, visiting at the Chicago exhibition, declared that Massachusetts led the Union, and the authorities of Jamaica, wishing to stimulate educational interests on the island, after

looking over the field, invited the secretary of the Massachusetts Board of Education to give a course of pedagogical lectures in Kingston, which he did. Massachusetts insurance laws are a guide for other States to a remarkable degree, and the Massachusetts legislature is one of the few points in the entire country where insurance men keep their eyes fixed. These executives who commended their biennial and quadrennial systems said that they resulted in better legislation. Better than what? They are not yet up to the standard where Massachusetts can copy them. Their systems may do for people with less diversity of interests, with less complications of development, with less density of population than Massachusetts, but the fact that Montana, or Vermont, or even larger States get along with biennial sessions of the legislature and infrequent elections of State officials, is by no means a demonstration that Massachusetts would advance under biennials as rapidly as she does under annual elections and sessions. Other States would doubtless be benefited by more attention to public business; and if they are to keep up in the race for the prizes of civilization they must put more thought into public affairs, must look more closely after the organic growth of the State, must do more for their lower classes, and must adopt the system of annual elections and annual legislative sessions. They will find plenty of solid, legitimate work to do for the State. They will find problems which will demand all the knowledge and experience they can muster within their own borders, and they will learn, too, if they attend to their public concerns faithfully, that it will be time well spent. It may be reasonably expected that, with the revival of civic virtue, which must surely come if our

country is to survive, the true policy of attending to public business promptly will prevail, and that the annual system will be warmly espoused where it is now held in discredit.

A few further points regarding other States will emphasize the inconclusiveness of arguing from their case to that of Massachusetts. Only fifteen States fail to limit the legislative session. The time permitted is forty, forty-five, fifty, sixty, seventy, seventy-five, and ninety days in the several instances, but there is nothing longer than the last figure, and only five States permit as long sessions as that. All of the States have biennial sessions, except six, which have annuals,—Massachusetts, Rhode Island, New York, New Jersey, South Carolina, and Georgia. Yet the effort for biennial sessions in Massachusetts is condemned by most people, and the folly of introducing the practice of other States in limiting the length of the session has been so evident, in its application to Massachusetts, that the proposition, whenever made, has never had a respectable standing. The idea of putting a time limit upon such important business as legislation, compared with any possible gain from it, has caused the instant rejection of the proposition whenever made.

Testimony to the superiority of Massachusetts in legislation to other States, and hence the reasonableness that other States should imitate her, instead of her imitating them, is found in the summary of the important legislation for 1895, which was presented to the American Bar Association in August, 1895, by its president, James C. Carter. Here is a trained lawyer, giving to his professional associates a summary of new legislation according to its importance. Massachusetts, in this summary by titles, occupies

one-half more space for the recital than any other State, and remember that this is a measure by quality, not by quantity. There are twenty-nine States in the list, and Massachusetts occupies one-ninth of the entire space given to mention of important laws. Here is a further proof among the many that Massachusetts is addressing herself to the problems of the times, and is advancing faster in the promotion of prosperity and in the establishment of justice in matters of detail than any other State in the Union. Furthermore, as Massachusetts has annual sessions, while others, as a rule, have biennial, the force of the demonstration is emphasized, for her growth was that of one year only, while that of most of the others covered two years.

One phase of the argument for biennial elections, drawn from other States, is that a larger percentage of the vote comes out with biennial elections than with annual elections, and the figures support the assertion both in regard to other States and in regard to the presidential and congressional elections in Massachusetts. But let us consider a moment. What is wanted, first of all, is good government. Popular interest is very desirable, but there are different qualities of interest. Now, here is one conspicuous fact, that in Massachusetts both elections and legislation are less on a partisan plane than in any other State. Causes stand more upon their merits than in any other State of the Union. This is no small tribute to the merits of the Massachusetts system. In the party contests of presidential and congressional years the lines are drawn largely on the basis of prejudice and self-interest. The merits of the case have less weight. The full vote is a partisan vote, and this is true of the full votes of Massachusetts as it is

true of other States. In the off years the vote which comes out is the active partisan vote which is always on guard and does not miss a chance to go to the polls, and the thoughtful vote, really desirous of the good of the State. The vote which does not come out is the apathetic partisan vote which needs to be stirred by strong party appeals in order to rouse itself to an expression, or to withdraw itself for an hour from the absorption of business. An illustration of this truth was given in Massachusetts in the exceptional off year, 1883, when Governor Butler was candidate for re-election. Strong appeals to republican party spirit and to prejudice against the governor, even admitting all that may be said of the interest in good government, were instrumental in drawing out a phenomenal vote on each side. The election of 1884 illustrated the independent spirit which prevails in Massachusetts, when forty thousand republican votes refused to stand by the presidential nominee. In no other State was there anything like this revolt against the candidate. The presidential vote of 1888 illustrates the fact that it is the apathetic partisan vote which comes out with a full vote, for the State was scraped as scarcely ever before in order to carry it for the republican candidate, and it was the aged republican reserves who constituted a material part of that very full vote. The lack of partisanship in Massachusetts compared with other States is illustrated by the three elections of Governor Russell, with republicans successful on the remainder of the State ticket, with the council seven-eighths republican, and with a strong republican majority in the legislature. Would any of the other States have so persisted in political discrimination? Would they have so

responded to a test of average political intelligence and freedom from machine control? It was in Massachusetts that William Everett was elected to Congress from a district in which he was not a resident, and in 1895 Harvey N. Shepard was a candidate in a district in which he did not live. Only a small part of Massachusetts legislation is shaped by partisanship. It is a fair conclusion that Massachusetts politics are less partisan, more discriminating and more healthful, than they are in any other State. Part of the credit is due to our political system of discussion, of agitation, of familiarity with public men, events, and issues. The feeling that if a mistake is made regarding a State official or legislator it can be rectified within a year doubtless leads to the toleration of independence in voting, to the willingness to give a man of the other side a chance, if he displays exceptional ability, and to the impossibility of drawing party lines so close as to make the machine irresistible, impregnable, and perpetual. If the people of Massachusetts want to put their State under the domination of rings and bosses, if they want their public concerns to be managed on the basis of prejudice and passion, rather than upon the merits of the issues which are pending, if they want to make political slaves of themselves for the benefit of a tyrannical few to whom they shall pay the taxes and to whose corrupt, imperial will they must bow, to the permanent loss of the liberties gained by the blood of their fathers and of the rights which are inherent in all self-respecting manhood, let them adopt the biennial system of other States and confess that their present system is a failure. But if they have any appreciation of their superiority over these States, which are cited as examples, they

will cling tenaciously to their system of frequent returns of officials to the people, and of holding their representatives to a strict annual accounting.

So, to the biennialists who would persuade us to give up our rights and privileges by citing other States, we say, " We are fully convinced by the examples you have offered us that we are right and they are wrong. For the occasion of this demonstration we thank you. "

XI.

THE EXPENSE.

FORTUNATELY, it is now only the business man who objects to annual elections upon the ground of expense. This plea has been advanced with vigor in the past, and it was the burden of some of the leading representatives of the boards of trade in 1896, who were giving their reasons why annual elections should be abolished. One of the speakers affirmed with all the earnestness of deep conviction that in the competition of business the expense of an annual election was more than the manufacturing and commercial interests of the State could endure. But this argument was expressly disclaimed by the gentleman who conducted the case for the petitioners and by others on that side. They agreed with the remonstrants that the expense was not to be considered in comparison with the vital interests at stake, and that it was to be brought into the account only as it could be shown that the expense was needless, or worse.

But, though the friends of biennials have abandoned their contention, yet, as it may be urged hereafter, by those who are not aware that it has been rejected by their own side as too insignificant to take into the account, the chief facts may be gathered here in small compass. The annual

appropriation from the State treasury for its part of the cost of the annual election is \$10,000. There may be extras sometimes which cause a deficit, but that is the usual sum. In regard to the cost to the cities and towns, there are nine hundred and fifty-three voting precincts in the State, of which two hundred and five are in Boston. Each voting precinct must have six election officers, and there may be more in certain cases. In at least one case the pay is \$12 for the day for each man. In most of the precincts it will probably not go above \$5, while in many towns it is doubtless less. The expense to Boston of a single election is \$10,000, besides the erection and removal of the booths, the hack hire to take the ballot-boxes to the polls and bring them back. But Boston's average per precinct is doubtless higher than it is through the State. But on that basis the cost to the cities and towns would be almost exactly \$50,000. Add the \$10,000 paid by the State, and the total is \$60,000 which appears in the State and municipal tax bills. Added to this must be the voluntary expenses for campaign work, printing, hall rent, canvassers, brass bands, carriage hire, refreshments, and a thousand incidentals whose totals can be only guessed at, but which are doubtless beyond the official expenses. As it is only the campaigns of the off year which are to be saved, it is the expenses of those years only, not of presidential and congressional years, which need be considered. In 1895 the republican State committee spent \$19,866.43 and the democratic State committee \$5,193.56. Expenses of local committees and of candidates must have added materially to the total.

But the charge is that the State "cannot afford the

expense." Let us see. Here are figures which so overtop all the possible totals on the other side that they dispose, in a moment, of the plea that the State cannot afford the expense of an election on the off years. According to the valuation of the taxable property in Massachusetts in 1892, which was made by Commissioner Endicott (and many millions are not taxable), there was \$2,429,832,966. Under exactly the same system of computation, by the same official, there was \$2,653,934,509 in 1895, or a gain in the three years of \$224,101,543. This valuation was made for the purpose of fixing the basis of the State tax. Here was a net gain in the three years of \$204,472 for every day, including Sundays and holidays, notwithstanding the fact that these three years covered the longest and most severe depression in business known for a long time. Compare the net gain in property of the people of Massachusetts in one day with what they spend for political purposes in the entire year, and it is seen that their patriotism and politics are very cheap from a financial point of view. The objection of expense is too trivial to be entertained a moment.

Two further considerations are to be added as final nails in the coffin of this bugbear of expense. One is that with the improved voting machines which are sure to be adopted within a few years—unless the signs fail—the expenses in the precincts will be materially reduced. The other is that,—as appears from the campaign in Boston, in December, 1895, as well as from the argument of the biennialists themselves, that greater interest would be taken in the even years,—the expenses of the biennial campaigns will be larger than they would be if annual elections were

continued. The gain of the off year would be materially spent in the even year, and the people would save little. Hence it is well that this objection to annual elections, that the people cannot afford them, has been formally abandoned.

XII.

THE COUNTRY TOWNS.

It was no accident, but a part of the uniform far-seeing management of the biennial campaign in the legislature of 1896, which left the redistricting order on the table of the House till the biennial amendment was out of the way. If the country republicans had realized how severe a loss of political power they were voting upon their constituents they would not have been so unanimous in their response to the corporation pull from the cities and large towns which have, in this respect, another point to gain from their country cousins.

It is the practice, in many districts where several towns are combined for the election of a representative, to apportion to the several towns the number of years out of the ten before the next redistricting which each town shall have. Of course the large towns predominate. In the case of a small town being added to a city district, the effect is the same. Under the annual system of elections, some of the towns with small population have been able to secure the representative only one of the ten years. Of course under the biennial system these towns will be cut down to one year in twenty, at best, and practically they will fare worse than that, for the small towns will be sacrificed for the politicians in their larger neighbors, and some of them

will never be able, save by lucky chance, to send a representative to the legislature. The adoption of the biennial system means that separate towns, each of which is a municipal individual with its corporate wants, interests, and dangers, will be hereafter forever shut off from sending to the court of the people any representative of their own to plead their cause. They will be forever dependent upon some neighboring town, and it is to be remembered that towns are sometimes antagonistic to one another, as well as friendly, and that it is not safe to sacrifice one's political self utterly. The proposition to condemn entire municipal corporations to be forever unrepresented in the legislature is monstrous. But this is what biennials involve.

Besides this, many more towns which now have representatives only two or three years in the ten will be very likely to suffer, while there will surely be an average loss of one-half all around. This fate concerns many towns and many individuals, for it says to citizens of particular towns: "You can have no political future if you live in this town. No matter how honorable your ambition, or how much your townsmen may desire to send you to represent them, your case is hopeless from the very beginning. Let every man in this town abandon forever all hope of political life." Look over the list of towns which are certain to lose under the biennial system. It will be found longer, doubtless, than most of the people are aware. Take them by counties, leaving out the cities and the large towns. Every town in the following list will lose more or less of its political importance if the biennial system is established:—

Essex county — Salisbury, Merrimac, West Newbury, Methuen, Bradford, North Andover, Groveland, Georgetown,

Boxford, Topsfield, Newbury, Rowley, Hamilton, Wenham, Essex, Manchester, Nabant, Saugus, Danvers, Middleton.

Middlesex county — Belmont, Weston, Lexington, Lincoln, Concord, Bedford, Burlington, Chelmsford, Billerica, Tewksbury, Wilmington, North Reading, Dracut, Tyngsboro, Ashland, Holliston, Hopkinton, Sherborn, Wayland, Sudbury, Maynard, Stow, Boxboro, Littleton, Acton, Carlisle, Westford, Groton, Pepperell, Dunstable, Ayer, Shirley, Townsend, Ashby.

Worcester county — Royalston, Phillipston, Templeton, Ashburnham, Barre, Dana, Petersham, Hardwick, Rutland, Westminster, Hubbardston, Princeton, Holden, Paxton, Brookfield, West Brookfield, New Braintree, Oakham, Sturbridge, Warren, Leicester, Charlton, Dudley, Oxford, Auburn, Douglas, Millbury, Sutton, Uxbridge, Upton, Mendon, Hopedale, Northboro, Southboro, Berlin, Shrewsbury, Boylston, Bolton, West Boylston, Harvard, Lancaster, Sterling, Lunenburg.

Hampshire county — Southampton, Chesterfield, Cummington, Goshen, Huntington, Middlefield, Plainfield, Westhampton, Worthington, Hatfield, Hadley, Williamsburg, Belchertown, Granby, Enfield, Greenwich, Pelham, Prescott.

Hampden county — Chester, Blandford, Tolland, Granville, Southwick, Agawam, Montgomery, Russell, East Longmeadow, Longmeadow, Hampden, Wilbraham, Wales, Ludlow, Brimfield, Holland.

Franklin county — Shelburne, Bernardston, Warwick, New Salem, Erving, Shutesbury, Northfield, Gill, Wendell, Leverett, Sunderland, Whately, Conway, Ashfield, Buckland, Charlemont, Colrain, Hawley, Heath, Leyden, Rowe, Monroe.

Berkshire county — New Ashford, Florida, Clarksburg, Cheshire, Savoy, Hancock, Lanesboro, Windsor, Peru, Hinsdale, Washington, Richmond, Stockbridge, Becket, West Stockbridge, Alford, Egremont, Monterey, Otis, Sandisfield, New Marlboro, Sheffield, Mount Washington, Tyringham.

Norfolk county — Holbrook, Avon, Sharon, Walpole, Bellingham, Wrentham, Medway, Norfolk, Needham, Dover, Medfield, Wellesley, Millis.

Plymouth county — Marshfield, Plympton, Kingston, Duxbury, Scituate, Norwell, Hanson, Pembroke, Cohasset, Hull, Hanover, Mattapoisett, Marion, Rochester, Carver, Lakeville, Halifax, West Bridgewater.

Bristol county — Norton, Seekonk, Raynham, Acushnet, Freetown, Dighton, Somerset, Swanzey, Rehoboth.

The Cape district — Falmouth, Bourne, Sandwich, Mashpee, Yarmouth, Dennis, Harwich, Chatham, Brewster, Orleans, Eastham, Wellfleet, Truro, Chilmark, Cottage City, Edgartown, Gay Head, Gosnold, Tisbury, West Tisbury.

It is a sound argument, from the point of view of the legislature, that it would be well if the rural members were elected for more than one term. The full force of the argument from experience may be admitted willingly. But none the less is it desirable to keep the representatives close to the people by a yearly return and by a lively sense of their accountability.

But even the present system of rotation so that rural members serve only one year has its reason of weight in its favor, even though it be admitted that it would be better if members were re-elected for a second term. All is not loss. A stable government depends upon an intelligent and willing people. Now, in our democracy, resting upon the mass of the people, it is no small strength of the system that there are scattered all through the small towns prominent citizens who have been sent to the legislature, who have themselves had a share in the making of the laws and are somewhat familiar with the way in which business is done at the centre of government in Boston. Such an element in the population must be a material factor on the side of order, content, information, and good government.

XIII.

THIS WILL NOT BE SETTLED UNTIL IT IS SETTLED RIGHT.

ONE of the pleas for submitting to the people the amendment for biennial elections has been that the question comes up every year, taking the time of the committee and of the legislature, and that this agitation ought to cease. If the question were submitted to the people, it is argued, and a popular verdict obtained, as in the case of the prohibitory amendment, there would be for a generation an end of agitation over the subject. This might be so if the verdict should go strongly against biennials, but on no other condition. If the amendment were defeated by a small margin, its friends would hope for conversions enough by further agitation to enable them to carry their point. They would be as eager to come to the legislature as ever, until their constant defeats assured them that the sober sense of the people is in favor of annual elections.

But, if the amendment were unfortunately adopted, then surely there would be no end of the agitation. No time could possibly be saved to the committee or to the legislature. Here is just how the case would stand: The entire class of the population, known by common consent as "the working people," would believe that they had been deprived of their political rights by the power of corporations and by

influences hostile to them. They have been accustomed to annual elections; they are firmly convinced that it is not only for their own good, but also for the good of the entire State, that elections should be held every year. They are intelligent American citizens, with a manly sense of the high character of political rights and duties. They will not surrender these without a long, bitter, and determined contest. The agitation over biennials would be only begun if the amendment should be adopted by the people as a whole. Joined with these citizens in sentiment would be a large number of intelligent men not of their class. The question would come up as frequently as the legislature should assemble "for the redress of grievances." With all the force of conviction that they were demanding only their rights in comparison with other classes in the State, with all the persistence of men who are fighting for a cause in which surrender means further political subjugation to those who are already superior to them in industrial concerns, and who hold in their hands, often unworthily, the happiness of their wives and children, these men would never cease to agitate for their political rights. The persistence of Russia in seeking Constantinople, the valor of the Three Hundred Greeks at Thermopylae would not exceed the dogged persistence, plus the fighting bravery, with which the contest would be maintained. A generation might pass with no end to the conflict, unless it were settled right.

But there is another phase of the situation which would inevitably exist. The labor representatives would surely have some representatives in the legislature, even under the biennial system. They would not be left wholly power-

less. But all over the State there would be the certainty, which would be brought to a focus in the legislature, that their political rights, involving much material gain, peace, and prosperity for themselves and families, had been wrested from them unjustly. There would surely result a constant hostility between employers and employed, causing ceaseless friction in the daily relations in life, and sure to find expression in the legislature in objection to whatever measures were believed to be in the interest of capital. If it were possible to defeat any bill which a corporation wanted, the chances would be that such defeat would be compassed. Frequently the contest between the different sides of measures affecting corporations are about evenly balanced. With a body of men, year after year, permanently hostile to corporations, there would surely be an effect upon legislation which might delay acts really beneficial, but which would be sacrificed to the abiding hostility engendered by this assault upon the political rights of the working classes.

If any man had the remotest idea that the submission of the amendment to the people would put an end to the agitation, let him calmly consider the situation, let him recognize the every-day elements in human nature, and he will revise his judgment and admit that so vital a matter as this is not so easily and summarily put out of mind.

XIV.

THIS LAST CAMPAIGN.

EVER since 1875, with the exception of 1887, the movement for biennials has been before the legislature. In its original form it was for biennial elections and biennial sessions of the legislature. The first four years of its appearance it had no appreciable support, but the committee reported unanimously against it, and adverse action was taken without a division. Then came a sudden change in 1879. The amendment was favorably reported and had one hundred and seventy yeas to twenty-two nays in the House, and a unanimous vote in the Senate. But its second year it was defeated. The contest continued along that line for several years, both kinds of biennials being demanded by the agitators for a change. But the legislature could not be carried. Then the tactics were changed; the principle of "divide and conquer" was introduced. It was seen that the objections to biennial sessions were so strong that no sort of biennials could be carried if this provision were retained. So, in late years, the effort has been to secure biennial elections alone. On this line the agitation has been conducted. But for years no headway was made. Up to the session of 1895 it seemed perfectly clear that the measure would never again compel the support of even two-thirds in any one house, to say nothing of two houses

in succession. The votes in 1891, 1892, 1893, and 1894 seemed to guarantee the final defeat of the cause, and the rapidly approaching end of the agitation.

But with the session of 1895 it soon became evident to a watchful observer that a new force had entered into the contest, that there were resources available which were hitherto unknown, and that there was a determination to win at whatever cost of effort, which had never been felt in any previous contest for this assault upon the rights and privileges of the people. Of course the leaders in this movement have not proclaimed their plans to the world. Naturally they have kept them under cover. Only by accident are they discovered, like haphazard discoveries in a chemist's laboratory, or the casual revelation of the plans of a military campaign. Early in 1895 a newspaper man was visited by a representative of one of the leading corporations and asked to use his influence in his newspaper writing in behalf of biennials. That corporation was then notorious for its defiance of State authorities, and its legislative counsel, with the counsel of a similar corporation, was charged by a republican member in 1896, with "trying to run the legislature." With this request for newspaper service was made the statement that it had been proposed to raise \$20,000 for the sake of putting the amendment through the legislature of 1895, but that the plan had been abandoned for another.

Further evidence that a great deal of quiet and hitherto unsuspected work had been done with the legislature appeared in the current impression that the amendment would be passed in 1895. The feeling about it was something which had never been known before at the State

House. It was as different from the usual condition as a cold overcast sky from the pure ethereal blue. Any one sensitive to the facts could not but feel the difference even before the vote was taken. Something or other had been at work, and it seemed to be agreed all around that the amendment was sure to pass that time, no matter what was said or done. The vote in the House bore out this impression wonderfully, for there were one hundred and sixty-three yeas to fifty-seven nays, and two pairs, on the roll-call. Yet the case for the petitioners had been presented no more forcibly than usual. No stronger evidence had been adduced before the committee. But the work had been done somehow.

When the time came for the vote to be taken in the House there was another demonstration that there was a singular influence at work. But equally significant was the following circular, which was distributed to the House on Monday, February 18, 1895:—

“DEAR SIR,—The biennial election resolves for submission of the question to the people will come up for action by special assignment on Wednesday next, February 20, at 3 o'clock P. M. The constitution requires that the vote must be taken by yeas and nays, and a two-thirds' vote of the members present and voting will be required to pass the resolves. You are earnestly requested to be present or secure a pair in favor of the passage of the resolves. By request of Barker of Hanson, Phelps of North Adams, McCarthy of Boston, Duddy of Somerville, Hibbard of Boston, Howe of Marlboro, House members of the Committee on Constitutional Amendments.”

The important words were italicized, the most significant being “pair,” to which peculiar force attached, as

appears from the following circular, which was issued by the other side to counteract the effect of the first:—

“The opponents of annual elections will try to pass the biennial resolve on next Wednesday, February 20, 1895, at three P. M. Don't pair. One negative vote is worth two affirmative votes.”

Probably such an appeal by members of a legislative committee to the House to be present and vote on a question has never been known before in the history of Massachusetts legislation, no matter how important the issue at stake. This is only one more demonstration that unusual exertions were put forth in this particular campaign for the passage of the resolve, and that influences were at work wholly out of the common line.

When it came to the legislature of 1896 there was displayed another singular line of policy on the part of the biennial managers. The old line of argument was practically abandoned. The familiar plea that it would be best to elect the governor for two years, the picture of a happy executive freed from the anxieties of seeking a re-election before he had warmed his chair, the arguments from the benefit of experience which have constituted the main reasons for biennials in the past, were practically dropped. The long rows of figures to prove the indifference of voters on off years were relegated to the background. The comparisons with other States, which had become so familiar both to the petitioners and remonstrants, were barely heard of. All these considerations were dismissed with only brief allusion in 1896. The argument of expense, which had up to that time been emphasized upon the committee, was

practically abandoned, and it was admitted in so many words by the petitioners, that the expense was not an item worth considering in connection with the issue at stake. So that point was at last reduced to its proper insignificance. There was a practical desertion of the old familiar arguments upon which the fight had been made in all previous years.

The new line of attack upon the existing custom was practically confined to two points, in the main, — that frequent elections disturbed business, and that by biennial elections with annual sessions, there would be an improvement in the quality of legislation. It has been a distinct triumph for the friends of annual elections that the biennialists have been forced to abandon their old ground. They could never have persuaded the people upon them, but there was a certain plausibility in the reasoning that a governor would gain by experience; the annual men have not denied that. But the new arguments are manifestly weaker than the old ones. They are not even plausible when they are seen in their full extent, and if it were a question of reason, the biennial men would have been overthrown, horse, foot, and dragoons. The inconclusive nature of the arguments presented in 1896 for biennials is demonstrated on other pages. It is enough to show here the new tactics, and to point out that the new strength of the case is not due in the slightest degree to the weight of the arguments presented. Other forces than reason have been at work. They have triumphed, and it is for the State to see distinctly what those forces are.

XV.

CORPORATIONS AND BIENNIALS.

It is impossible to obtain evidence regarding the course of the corporations, except by accident. But a strong side light is thrown upon this last and successful campaign for biennials in the legislature by a study of certain facts which have been clear at the State House. Up to 1895 the biennial amendment had not passed the legislature after 1890. In the latter year it had one hundred and forty-three yeas to thirty-eight nays, the opposition making no show of fight to speak of. In 1891 the vote was one hundred and sixteen yeas to one hundred and one nays. In 1892 it was one hundred and twenty yeas to eighty-seven nays. In 1893 it was ninety-three yeas to eighty-one nays. In 1894 it was one hundred and six yeas to eighty-three nays. Here was a marvellous loss of strength from that unthinking vote on the first contested year of the amendment when it had only twenty-two votes in opposition in the House, and had the unanimous vote of the Senate. The labor men had become alarmed, and it was as clear as sunlight that the amendment would never be able to pass the legislature under the existing conditions.

But in 1895 came a great change over the situation. The vote was one hundred and sixty-three to fifty-seven, though the opposition made a good front in the committee hearing. Had anything occurred in the session or campaign of 1894

to produce this change in the legislature of 1895? A little study will reveal a great change in the situation.

It will be remembered that 1894 was the year of the most important corporation legislation which had ever passed the Massachusetts legislature. Strides toward the control of the corporations by the people were taken which were nothing short of marvellous in comparison with what had gone before. The legislation for the control of corporations of a *quasi* public nature which had been brought in near the end of the session of 1893, and had been defeated by a narrow margin, had been pushed before the legislature of 1894 by an organization of the business men of Boston, and had been enacted into law. This legislation was based upon the competition of trade; it was not founded upon a broad outlook over the field of popular interest *versus* corporate interests, but was due to a clash between the great transportation companies and the merchants served by them. The latter triumphed in the contest, and the railroads and other corporations were hotly indignant. The most important acts were those which related to the issue of stock and bonds and to increases of capital stock by railroad, street railway, gas, electric light, aqueduct and water companies, and companies formed for the purpose of transmitting intelligence by electricity. Absolute control over their issues was given to the commissioners in these several departments. Prodigious kicking resulted on the part of the corporations. In private their counsel, and doubtless their stockholders and officers, denounced the legislature in the strongest terms. That was one feature of the session of 1894 to be held in mind.

Other corporation legislation of great importance was

enacted, but only after highly exciting scenes and after occurrences which seemed for a time to be likely to defeat one of the largest corporations of the State. It may not be well to specify further in detail, but if any citizen wishes to look into this matter more thoroughly let him follow the course of some corporation petitions in 1894; let him read the statements of the counsel regarding the urgent need of millions of new stock at once; let him observe the small amount of that stock which has actually been issued, and then let him judge whether another element of corporation discontent has not been discovered. Threats of higher taxes and of supervision by a State commission and of regulation of prices by the State have also to be taken into the account.

Then there were other measures particularly aggravating to corporations, but in the interest of the public. The ever-present taxation question threatened to put taxes upon shares of foreign stocks held in this State. An act was passed to compel the manufacturers to furnish specifications to the weavers in cotton factories. The employers' liability act was further amended in the interest of the employees. Foreign corporations doing business in the State were compelled to make returns to the State authorities. Railroads were compelled to block the frogs and switches in their yards. The gas commissioners were empowered to regulate the price and quality of the products of gas and electric light companies. Cities and towns were empowered to vote once a year, instead of once in three years, as the corporations had fixed it, upon the question whether a municipality should buy an existing lighting plant. The new office of inspector of steam railroads was established in spite of the

lobbying of the railroads, and the railroad commissioners were instructed to investigate into the safety of the passengers on street cars. Here was a series of acts more intolerable to the corporations than was ever known before. A well-known corporation counsel at the State House recently said that the corporations would be glad if the legislature never met except to do their business. And another corporation lawyer, skilled in State House practices, has declared that the corporations could manipulate the legislature a great deal better if it were elected for two years, especially on its second year.

Evidence exists that one, at least, of the largest corporations of the State, which had just notoriously defied the laws, was actively interested in behalf of biennials. Considering the known hostility of corporations in general to the legislature, considering their exposure to petitions for two-cent fares, for interchangeable mileage tickets, for free transfers, for better protection for the passengers and for better service to the public, considering the many efforts for shorter hours of labor and for better sanitary arrangements, for more advantages compared with the employers in the entire realm of labor, considering the marvellous change in the biennial situation which occurred in the fall of 1894, the plausibility is so strong that it becomes a safe ground for action that this latest and strongest move for biennials is the greatest corporation log-rolling plot which was ever devised against the liberties of the people for their subjugation to the money power. This theory will explain the recent course of events. Nothing which has been offered by the biennialists will. It is safe to believe that here is the most aggressive, the most insidious, and the most per-

vasive attack made for a century upon the liberties of the people, and that the thousands of respectable names which have been obtained to the petitions for biennials are only a cloak to cover the genuine character of the movement. The steam-power, which is the real motive force to carry along the eminently honorable train of

“right thinkin’, honest folks
Who mean to go it blind,”

who have signed the petitions for biennials with little thought on the question, is the wealth and influence of corporation men, and the fire under the boiler is the conviction that under the annual system the corporations may be forced into subordination to the public good, plus the certainty that with biennials they will be able to manipulate and dominate the legislature for their own satisfaction in defiance of the public.

Great forces only can produce great results. It is impossible to account for the legislative phenomena of 1895 and 1896 by any ascertainable facts regarding popular interest in biennials. Popular interest did not roll up those immense majorities any more than Beacon Hill was scooped up by Indians with clamshells. Popular interest was not back of the singular coincidence by which biennialist newspapers, upon critical days in the hearing, came out, a hundred miles apart, with editorial paragraphs of exactly the same idea and nearly the same expression. Nothing short of a State-wide, mighty, pervasive influence has moulded the republican majorities of 1895 and 1896 to its will. No one who has seen a canvass of the legislature made by this kind of influence, with its names marked severally in red ink and black ink, with its signs against each name to

indicate the shade of opinion entertained by the members respectively, and with further memoranda against each name also to show the political character of the district, the local magnate who "made" the member, the man who holds his obligations and thereby has a club over him, and the men who have a "pull" upon the member, can have any doubt as to the methods and the thoroughness with which the legislature has been worked in this thorough-going two-years' campaign to accomplish the purposes of the would-be bosses of Massachusetts, while seeming, nominally, to represent popular opinion.

But there is another phase of the case, highly important to the corporations, going to show that though with biennials they might be saved from some annoying bills and might be able to manipulate the legislature more effectively, yet the very biennial scheme which they propose as a remedy for the hardness of their legislative lot would return to plague them. In every legislature it is probable that some members are not above putting in bills for the sake of drawing blackmail from the corporations. In one house, not many years ago, the number in a supposed "gang" organized for this purpose was not less than a dozen. With a biennial house, in which members had become acquainted with each other and with their victims in the first term, there would be a six or seven months' recess, with the certainty that they would all be present at the next session, in which the thrifty blackmailers could concoct any sort of nefarious scheme with which to extort money from petitioners or from any one rich and exposed enough to invite attack. Considering the exceptional advantages which the biennial system would offer, it is prob-

able that all the gain which the corporations expect to make from biennials would be more than offset from this cause alone, of expense, annoyance, and exasperation.

But the State, as a whole, has intense interest in the corporation phase of the biennial movement. If once this resolve is put into the constitution and the State has a biennial legislature, with the members out of the reach of the people for two years, and careless about their action because they know that they will not be re-elected, there is ample reason for the warning that all the recent corporation legislation will be repealed, that the issue of stock and bonds will be left to the corporations, as in the past, that the new stock of extra profitable concerns will be issued at par, that the labor interests will cease to gain their dues from the legislature; and that the power of money will dominate at the State House in a way in comparison with which the scandals of the past will seem almost the pink of virtue. This is the danger which threatens positively from biennials. Already one class of corporations, represented by eminent counsel, has attempted to secure from the legislature a relaxation of State oversight established by the obnoxious act of 1894. Adopt biennials and the attempt will be multiplied with brighter assurance of success.

Massachusetts has never had a political boss. But the State is yielding too much to the power of wealth. It has been too notorious that corporation money has swayed the Senate, and that corrupt men have cast aside the good of the public for their own private mercenary gain. Let the State beware how it plays straight into the hands of the money power by giving it a biennial legislature. Let no new boss of wealth be established for us in this generation.

An essential feature of the singular campaign of 1895 and 1896 should not be permitted to escape notice, — the way in which the corporation interest, which is really superior to both parties and uses both alike for its own ends when necessary, has concealed itself under the cover of republicanism. Party lines have been drawn quite closely on the issue, though the republicans have not a vote to gain by supporting biennials, but, on the contrary, are quite sure to lose. But it would not do for the movement to stand in its true light, and the party which controlled more than two-thirds of the House was too valuable a cover not to be utilized.

The first sign of this policy appeared in 1895. Leading republican members who voted against biennials in 1894 voted for them in 1895. A prominent republican who made an excellent speech for annual elections in 1894, in reply to the question how he came to change in 1895, said that strong influences had been brought to bear upon him. He voted for biennials in 1895 and 1896, but never gave the public the benefit of the causes of his conversion. In 1896 the republican caucus committee, though there had been no party utterance on the subject, made a canvass of the House, and brought party pressure to bear to get votes for biennials. Who has been able to manage this great party of popular liberty and make it a stalking horse for an effort by wealth and political indifference to subjugate the masses to their ambition? Will the average voters of this party put their necks willingly under the yoke because cunning managers impose upon them by appeals to party allegiance, or by making it appear that the democrats oppose biennials? If the democrats realize what popular liberty is, shall the republicans permit the democrats to excel them?

Let the votes since 1890 be recalled once more to establish another point. They were, in 1891, one hundred and sixteen yeas to one hundred and one nays; in 1892, one hundred and twenty yeas to eighty-seven nays; in 1893, ninety-three yeas to eighty-one nays; in 1894, one hundred and six yeas to eighty-three nays; in 1895, one hundred and sixty-three yeas to fifty-seven nays. Up to 1895 the annual side had always secured a material proportion of the new republican votes. But in 1895, for some reason, this rule failed to hold, while in 1896, so strictly were the party lines drawn that only two of the new republican members voted against biennials, and they were from Lynn, where the republican sentiment is strongly on that side, while of the eight re-elected republicans who had voted against biennials in 1895 four were brought over to their side. How did it happen that the annual elections side failed, in 1895 and 1896, to get more than two of the new republican votes? It cannot be by accident by any means. Several members who changed sides said that "the pressure was so great that they could not stand it." It is the fact that members voted for the amendment who will oppose it warmly before the people, and that so many voted for it who were not convinced of its merit, that it would surely have been defeated, if only its friends had voted for it. Biennial elections have not yet had the approval of the two-thirds' vote which the Constitution requires as a prerequisite of submitting an amendment to the people, and any argument for it based on supposed legislative sanction has no foundation.

Still another factor is revealed by the figures from 1891 to 1894,—four consecutive years,—which is highly encour-

aging to the opponents of biennials. The corporations have been persistently in favor of biennials. The corporation lobby has been on that side. Yet, in these years, before they made their last desperate effort, the margin for biennials has been very small. Considering the case in this significant light it amounts to almost a demonstration that, on the merits of the case, the sober majority of the House would be in favor of annual elections, and all this elaborate argument that the people demand biennials because a majority of the legislature have voted for it falls to the ground. Take away corporation and party pressure, and let the arguments pro and con. have their just weight, and the annual side is doubtless far the stronger among the representatives. If the sober judgment of the people can be secured, their cause is safe. It is only the corporation and partisan shrewdness which has put this issue into a presidential year which makes the friends of popular liberty tremble for the result.

It is the corporations using the republican party for their selfish ends who have brought the present danger upon the State. Hence the people, as a whole, are forced to face more solemnly than ever the problem of subordinating the corporations to the popular will. The regulation of corporations has a very close relation to the progress of the State and of humanity itself. It is closely connected with the extreme developments of the system of competition which we see in these years, and with the growth of trusts, of monopolies, and of the enormous powers of aggregated capital, crushing the small holders of property between the competition of the giants of commerce and trade. The civilization of the times depends upon the degree of control

which the popular will exerts over these creatures. If wealth continues to keep the upper hand, then the mass of the people become its slaves, dependent for position, occupation, and life itself, upon the pleasure of the single head of the aggregation. Unless the rights of the masses are established by the popular will, expressed in the form of law, then the selfish interests of wealth will hold the whips which will compel the toiling many to do service to the dominating few. Our institutions will be free only in name, and our country will in reality be under the iron, heartless rule of a selfish plutocracy, vulgar in ostentation, and lavish of the money it has robbed from the people. This issue is something far broader than the question of voting once in a year or once in two years. It is even more than the prosperity of the laboring classes or the independence of the entire middle classes of the population. It is nothing short of the life of the whole body politic itself, with its momentous concerns for all classes, rich and poor, and it has in it the destiny of the future. It is in this light that the issue of biennial elections is to be approached. It is in the full view of these probabilities of the future that the vote of each citizen is to be cast. Shall the power of selfish corporate wealth, which is the real mainspring of all this agitation, rule supreme, or will the people, with jealous watchfulness over their rights and their sacred liberties, hold their power in their own hands, keep their political servants directly and closely accountable to them, and willingly assume, once in a year, their light and simple political burdens?

XVI.

THE POLITICIANS AND THE LOBBY.

ONE of the favorite points with the friends of biennials is that the amendment has been defeated in previous years by the efforts of the politicians and the lobbyists. This must be presumed to have effectiveness, for it is repeated frequently, and with emphasis, in different quarters. Hence it is well to learn the facts. It is easy to talk about "cheap politicians," about men who are in politics for the money they can make out of it, and about corrupt influences which are scheming for selfish interests against the welfare of the people.

But who are the politicians? Every one who is familiar enough with politics to speak with any weight knows that the moving influences in politics are those of money and ambition. Men who are anxious for high office, men who are solicitous of legislative favor for the sake of making money,—these are the real politicians of the State. In a broad and true sense, the corporations are the politicians. It is they who have men in their employ throughout the entire year to do their political dirty work. It is they who hire men to travel through the State in the summer and early autumn, while the mass of the people are unsus-

pecting, to fix up the Senate for the approaching session. It is the corporations who know what matters they wish to push through the legislature and who find it for their interest to see beforehand that the Senate is on their side. It is the men of wealth who can afford to spend money freely for their election who are the real manipulators in politics, in company with the corporations who are seeking to strengthen their grip upon the public in order that they may hold the public subservient to their uses. It is the rich men who debauch politics by the money they put into it. One of the petitioners for biennials testified, at the hearing in 1896, that the free distribution of beer in his city, in a campaign between two rich men who were respectively trying to buy their way into Congress, was a public scandal. It is these politicians who corrupt the legislature. There cannot be the bribed without the bribers. It is the heads of rich corporations, men who stand well in society and in religious circles, who have been primarily responsible for the scandals which have disgraced the State House. They have come up to Beacon Hill, rotten with money, flanked by their high-priced counsel in long array, heralded by columns upon columns of paid reading matter in the papers which the unsophisticated readers have supposed to be inserted on its merits among the news of the day. These corporations are responsible for whatever bribery has occurred in the legislature or in the precincts of Boston's City Hall. Yet it is these corporations, it is these rich men more than any other influence, who are at the bottom of the movement for biennial elections, and the adoption of the amendment by the people would be a great triumph for them in keeping the masses under their

thumbs, and in promoting their ability to manipulate legislation at their will.

Now, once more, as to the lobby. It is sought to smirch the cause of annual elections by representing it as dependent upon the lobby, with all the discredit which can be made to attach to the name. But the truth is that the professional lobbyists are in favor of biennials. They are the creatures of the corporations, and what the corporations want they will bend their energies to secure. Count them over, one by one. Call the roll of them, name by name. They are two to one in favor of biennials. Worse still, it is the lobbyists of most influence, who can travel about the State, are employed throughout the year by large corporations, have long experience in politics, and have the reputation of "landing their men," who are for biennials, while the other side is represented in this profession by those who, to use the graphic words of the sergeant-at-arms, "have to get along on crackers and cheese till February," and oppose the amendment in their feeble and ineffective way. One of the most effective corporation lobbyists has expressed his gladness at the passage of the amendment by the legislature, while another, representing an aggregation of many millions of capital, has given his personal support to the amendment, and added, "Our people are in favor of it." Whatever discredit attaches to the influence of the politicians and of the lobby belongs, rightfully, on the side of biennials. Yet those who profit by it, recognizing the bad company in which they would appear if the truth were realized, try to throw the disgrace upon their opponents, while themselves profiting by the work of lobbyists and politicians. It is a very ancient trick for a

criminal who fears arrest to join in the cry of "Stop thief."

No, instead of the charge being true, that the politicians and the lobby are on the side of annual elections, they are distinctly opposed to annuals, and the people are struggling against these insidious and powerful workers. Let those who benefit by such work at least have the decency to acknowledge their allies.

But, it may be said, there is a large class of men of small means and mediocre ability who are busy in politics, who are neither the creatures of the corporations nor in the professional lobby, who are in favor of annual elections, and it is these creatures who thwart the will of the right-minded, public-spirited citizens who wish to do away with the turmoil of continual political agitation. But again the critic of annual elections is wrong. Let him talk with these politicians, learn their real feelings, not what they offer for public consumption, and he will find that they are for biennials. They tell their reasons, too. After campaigns are over there are the old bills to clean up. There is the ward machinery to keep in order. There are the hundreds of precinct voters to be looked after. More than this, there is the risk of an annual election. When they are once elected they would like to have it for two years. It would save them much worry and expense. If they could have their way, they would have biennial elections. This is what they say when they reveal their real wishes. But very little pretext can be found for saying that it is the politicians and lobby who want frequent elections. It is the mass of the people who need them, and they are struggling for their rights not only in the face of the corpo-

rations and of consolidated wealth, but against the secret plotting of politicians who care nothing for the people, provided they themselves can hold office. But this is only one phase of the constant struggle for popular liberty under a democratic government. It is always the people against the politicians.

XVII.

THE ISSUE NOT UNDERSTOOD.

THROUGH all of this recent onset in behalf of biennials has been urged the demand that the legislature submit the question to the people. In the press and at the hearings it has been repeatedly asserted that the issue has been thoroughly discussed for twenty years, and that it is absurd to suppose that the people are not ready to vote upon the question. Does any man presume, it is asked, to stand up and say that the people are not thoroughly intelligent upon the question, and that they are not ready to give their final judgment?

If the discussion in the press had been broad enough to cover the ground, if the petitioners at the hearings had acknowledged the existence of the controlling reasons against biennials, if the people had shown that they at least knew of the reasons against biennials, but thought that the counterbalancing reasons were more weighty, it would be impertinent and conceited to affirm that the people are not sufficiently informed upon the subject. But, since the newspaper treatment of the question for a long time, as far as has been observed with watchful attention to their utterances, has not consisted of reasoning, but of denunciation,

of ridicule, and of misstatements of the worth of legislation and of the character of the opponents of biennials, the value of the education conducted by the press is of very little account. Since the petitioners, at none of the hearings, have alluded to the controlling reasons for annual elections, but have confined their criticisms to some comparatively unimportant evils of the present system, it is only fair for the remonstrants against biennials to maintain that the hearings, as far as the petitioners' contributions are concerned, have not added to the popular information on the subject. It is also pertinent to affirm that the discussions of the question in the legislature have been of very little educational value. It is one of the evils even under our system of annual sessions, with the growing amount of business to be transacted, that debate has deteriorated markedly in quality. On this matter especially, with a majority of the House hostile to annual elections, there has been a disposition to shut off debate. Speeches have been limited to ten or five minutes each, and at the beginning of the afternoon an hour has been fixed later in the same day for taking the vote. It has been assumed that this is an old matter upon which nothing new could be said, and that it would be good policy, at least, to have the vote taken as soon as possible. The fact that in 1896 the biennial cat played with the helpless little annual mouse, and let it squeak all it wanted, does not overthrow the practice of previous years. Still further, since the two-thirds' vote has been necessary for only the final stage of the debate, by common consent the resolve has been ordered to a third reading without discussion, until 1896, and the debate concentrated on the final stage only. Hence there has

been but one opportunity, practically, for discussing the question.

Now, it is impossible, in broken, interrupted speeches of five or ten minutes each, to discuss a great constitutional question like this thoroughly. As far as presentation of argument is concerned, the debates have been little better than farces. Members repeat each other. No effort has been made to cover the ground. In any event, the certainty that the debate would not change votes has overshadowed the hours from the call of the calendar till the end of the roll-call.

A further test of the popular understanding of the question is by personal inquiry. This test, applied to a large number of cases, has been remarkably uniform in finding that not even our supposedly intelligent citizens have any adequate conception of the interests at stake. The case for biennials lies in the popular mind much like this: "We have too many elections now; we are sick of politics; there is too much stir every year; there is too much money spent; there is so much rascality in elections that it ought to be stopped. We will put an end to it as much as possible. Give us biennial elections." This is practically the whole of the case for biennial elections as it lies in the average citizen's mind. Not a hint is found of the great concerns of government at stake. Scarcely a man has apparently the slightest realization of the magnitude of popular interests involved. Not a man, with rare exceptions, has any personal familiarity with the need of close attention to the needs of the people and of constant watchfulness to keep corrupt men out of office, and to be sure that the interests of the public are not betrayed. As the matter lies in the

public mind, the apprehension of it is shamefully superficial, and though it may not be complimentary to the people to affirm that they do not understand the question, yet, after careful study of the case, such affirmation is here made most emphatically, with all due modesty.

Will the men who are in favor of biennial elections because they are sick of so much politics show why their sickness is any reason for giving less attention to the needs of the State? Are we not, all of us, far more sick of the daily round of toil than we are of our yearly elections? Are we not more wearied in bearing the money-burden of daily support than the trifle which we pay for our share of campaign and election expenses? It requires nearly all the time, thought, and strength of most workers to provide a living for themselves and for those dependent upon them. Ambition to rise in wealth, to heap up a larger pile, to strengthen the defences against want and old age, impel many men to work as eagerly for more money as if they had not enough for the bare necessities. Private concerns demand imperatively most of the effort of nearly all the people.

But if the little concern of one's personal fortune is so severe a tax upon the average man's strength, if all the wit in his brains is called in play just to enable him to hold his own in the struggle of life and to lay up enough ahead to secure him a decent burial, how severe must be the legitimate demand of the great organic state as a whole! Upon its safe administration depends the prosperity of all its minor parts. If the personal affairs of the individuals absorb them so completely, is it not reasonable that the greater needs of the State should have attention for at least

an hour on one day in the year, plus what daily reading is needed for forming an intelligent opinion? What citizen is there who studies the needs of the State with that keenness and intensity which he concentrates upon his personal affairs? Who is so absorbed in the good of the body politic as in his own private concerns? Who is so quick to seize an opportunity to promote the public good as he is to make a dollar for himself? Who is there studying the lines of growth in the State, its courts and executive departments, its commissions and their enlarging spheres, its schools, its health, its roads, its protection for the poor, its metropolitan development, the relation of the crowded centres to the thinly populated regions, the thousand avenues of progress already open before it, — who is studying these vital concerns in their relation to the growth of the State as a whole, with that sagacity and concentration of effort which he puts into his management of his personal estate? Our business men are praised for their shrewdness, their industry, and their wonderful trained ability. Is the State, for its own sake, receiving the unselfish service of a solitary one of these hundreds of masters in affairs? The State has need of them. Their private prosperity depends upon stable and pure government. The State can enjoy peace and healthful growth only as justice is established between individuals and between classes. Yet these men continue to be absorbed in the fierce struggle of suicidal competition and in the formation of monopolistic trusts, when the same intelligence and energy which is absorbed in private contests and anxieties, if devoted to the State as a whole, might bring about sooner the next stage in development which is to succeed a discredited system of business competition, and

might hasten the establishment of a higher degree of justice between individuals and between classes.

With these possibilities, with these duties, men yet say that they are sick of politics, and prefer to neglect the great needs of the State to plunge deeper into the risks and losses and anxieties of business conflicts. The greater must have attention at the expense of the less, or the derangement of the greater will bring added vexation and weariness to the selfish men who hope to save their little fortunes at the cost of loss to the extended whole. It is an inverted and mischievous view which sees the need of thought and labor for private affairs and does not see a higher need for the State.

XVIII.

WHAT IS THE GAIN?

AFTER all, if biennial elections should be adopted by the people, what would they gain? They would be rid of the disturbance and annoyance of an election in every second year, and that is the one stimulus above all others for the average citizen to vote for biennials. But this off-year election costs the average citizen very little time, thought, or money,—not as much as he should be willing to spend for the good of the State. He gives an inappreciable amount of time. His tax bills would feel no lighter if the election expense were removed, so light is that portion already. As to campaign expenses, the average citizen gives little or nothing now. It is the few heavy subscribers who are urging biennial campaigns. The disturbance of business has never been reduced to an expressible amount by any biennialist, and never can be so as to make any worthy comparison with the good of an annual election. Suppose that the signers for biennials were to get all they ask for in their petition, and suppose that there were no losses to offset on the other side, the gain would be so infinitesimal that at the end of the year the citizens would perceive no larger total in their possession, either of comfort, happiness, or prosperity. The entire stake on that side is ridiculously small, even taking it at the valuation of the petitioners.

But against this petty gain at the most there must be offset great and inevitable losses,—loss of political expertness and soundness of judgment by the entire people, loss of opportunity to attend properly to the constant and imperative demands of the political body, loss of labor to advance in the struggle for the good things of life, loss of capital for a free opportunity of improving natural enlargements of investment, and for escape from the fetters of mighty combinations, loss of political independence on the part of men who will fall under the domination of party bosses, loss of a degree of intelligent and honest legislation, loss of power on the part of the entire rural population of the State, loss of opportunity for the people to hold their representatives responsible to them frequently, loss of the force of democratic institutions, loss of the growing equality between class and class, loss in a thousand ways affecting, vitally, the growth and prosperity of the political body and of every person who is a constituent atom of it.

Comparing the infinitesimal gain with the serious, pervasive, and permanent loss, what voter in the State can be so blind as to choose the gain with the certainty of suffering the loss?

XIX.

BIENNIAL ELECTIONS AND LEGISLATIVE SESSIONS.

* [The following article was printed in the *New England Magazine* for April, 1893. Repeated requests have been made for its republication, and accordingly, by permission, it is reproduced here, with the statistics brought down to date. The biennial problem is treated in it in a logical order which was not possible in the preceding chapters, for this problem is to be considered first of all in its relation to the legislature. That is far above the question of the executive department. The leading biennialists want biennial sessions as well as biennial elections. But the facts establish clearly the imperative necessity for annual sessions. These facts have been denied. They have been severely ridiculed. But they stand, regiments of them, needing no defence except attention to their existence and their character. The ridicule rests solely upon ignorance, and cannot for a moment bear the light. Having established the need of annual sessions, then comes the question whether annual or biennial elections will best serve the people. The weight of argument is here held to be overwhelmingly in favor of annual elections, and in the settlement of the broad problem it is to be reinforced by the other reasons which do not bear directly upon the legislature.]

MUCH interest is felt in Massachusetts and in other States in the question of biennial State elections and biennial sessions of the legislature. Many people would have both kinds of biennials. Others would have biennial State elections, but do not think it would be wise to hold a legislative session as infrequently as once in two years. I believe

that both of the proposed changes — in many States they are of course effected changes — would be unwise and would work to the serious injury of the State. Having once thought otherwise, and having been compelled, in candor, to change my view because of increased familiarity with facts as they are to be observed at the State House and in State politics, having also had better facilities for observation than most people, it may be pertinent to set forth the reasons for my conclusions. It will help to a clear idea of the situation to take up first the question of biennial sessions of the legislature.

BIENNIAL SESSIONS.

THE demand for biennial sessions is based on the belief that the legislature spends much time foolishly, that the sessions are needlessly long and expensive, that it is unwise to keep up a constant tinkering of the laws, that the business people do not want the laws disturbed so often, that the lawyers protest against the constant revision, and the common people cannot keep up with the new legislation, that many "cranky" matters are introduced, and, in short, that the needs of the State for new laws would be amply served by a session once in two years, to the great relief of the popular mind from apprehension of the evil which an ignorant and shameless legislature may do, and to the saving of the popular pocket of the large expense of their objectionable proceedings.

Beyond dispute, there is need of reform in legislative methods. Some of the popular criticism is richly deserved. But to attempt reform by introducing biennial sessions

would only aggravate directly some of the evils whose remedy is sought, and would, as I think can be conclusively shown, introduce other and greater ones. It must ever be remembered by the reformers that in a government by the people the ideal of excellence which the critics can see in contrast to reality can never be attained till the people are in a higher stage of development than at present. Popular government must ever reflect popular life and the morals and customs of the times. If there is a popular eagerness for wealth, the public treasury is sure to be exposed to the plunderings of dishonest contractors, and the halls of legislation are certain to be infested by men who procure their elections for the sake of increasing their material substance by selling their votes. If ambition for office at the hands of the people be prevalent, then men are always to be found in the legislature whose qualification is their anxiety to seem distinguished among their fellows, not their fitness to make laws for the people. Ambition and desire of wealth are strong and almost universal motives in men of this generation, and so the legislature will be under their curse. It is not for the legislative reformers to be discouraged, even if the evils from them crop up continually, nor to cease their efforts, nor to imagine that it will be any remedy to reduce the legitimate demand of the people for legislation.

It is natural that most people should believe that there is too much legislation. Each individual has few needs in this respect. He seldom goes to the legislature for its aid. In fact, most of the people never go at all. To them it is a waste of time and of money to hold annual sessions. Especially is this true of the rural districts. The majority

of the country people would probably be perfectly reconciled to sessions less frequent than once in two years. They are not constantly in large cities. They do not feel the force of the current of the times. But the most active life of the people is where the population is most dense, where there are the greatest accumulations of property, where there are many interests to be affected by legislation, where enterprise is most vigorous, where thought is the most active, and where there is the most energetic pushing forward into the unseen but supposedly profitable future. It is a fact, that the cities and large towns bring more and more legislation to the State House every year. Their wants are more complex than those of the small towns. The issues which have not been foreseen by the legislators of the past are more numerous. It is every year more evident that the safe rule for the growth of the State is to have frequent opportunities for adjustment, for frequent adaptation of the laws to the rapidly developing needs of the times.

If there were soundness in the argument for biennial sessions on the ground of too much legislation, then the tendency of the times would be in that direction. But the history of Massachusetts, at least in recent years, proves, beyond question, that the necessary course is not in less frequent attention to the needs of the State, but rather in more faithful watchfulness over them. It must be remembered that legislation is not an entertainment, nor a diversion, nor a free treat, nor anything but the most serious business for those who ask for it, — save for some few professional agitators, and even they have their standing only because there are serious evils to the people they represent which need legislative action for their reform.

These people who come to the State House on serious business do not come with any more alacrity than people go to law about other matters. Their attendance at the legislature takes them from their usual business, which is a money loss to them. Expenses of time, hotels, railroad travel, printing, lawyers' fees, and so on, must be incurred, which are often large, and which are always an obstacle to seeking legislation. If it were not for the expense of getting laws passed, many more people would doubtless be at the State House for new changes and adjustments in the social and business order. Circumstances conspire to prevent people from petitioning for desired legislation. There is the uncertainty of favorable action, which is in itself a deterrent from agitation. There is the mysterious lobby to be dealt with, to encounter which the inexperienced man fears will cost him more than he can afford to pay. There is the inherent disposition to bear the ills we have rather than to fly to those we know not of. So nothing but the urgency of his needs will bring the average petitioner to the State House.

Yet, in the face of this fact, and in spite of the prolonged and active effort for biennials by leading men of both parties and by many of the rank and file, by the leading republican press, by the ablest representatives of the independent press and by the country press generally, the demand for legislation in Massachusetts constantly increases. No one would have it if he could help it. Every one, as a rule, shrinks from it. Popular demand is asserted to be on the side of less frequent sessions. As far as can be judged, the result of the will of man would be to reduce the number of sessions and the quantity of legislation. Yet, in the face

of this fact, I say, legislation grows in quantity and the future has no prospect of any diminution.

This is nothing else than the demonstration, by the vital force of the community itself, that the demand for biennial sessions is an error. It is philosophically wrong, because it would cramp and retard the well-rounded development of the State. It would continue present inequalities in the relation of different classes to each other. It would tend to pull back the Commonwealth from its pre-eminence among the States, and it would nullify, in part, the promise it has, in its frequent attention to matters of popular concern, that it will lead the nation in the speedy establishment of justice and in the well-proportioned development of all classes of society. Advocates of biennials cannot deny the fact (for it has actually occurred during their agitation) that the more they have talked and written for biennials, the stronger has been the demonstration in the very organic life of the people that there is urgent necessity for frequent legislation for the well-being of the State, and that anything which interrupts it is an obstacle in the normal progress of the community as a whole. How, then, can they justify their position and assert that to be a benefit and a necessity which the Commonwealth as a whole continually pronounces an injury and a menace to her harmonious and natural growth?

The acts of the legislature themselves are witness to the need of legislation, unless it be maintained that our government itself is largely foolishness. In recent years the Blue Book has grown rapidly in volume. For a long time its pages have been of the same size, and hence comparisons of years by pages are just. In 1859 there was an unusually

large amount of legislation for the ante-bellum period. The laws and resolves in the Blue Book edition filled 472 pages. Then they fell in amount for several years; then rose and fell and rose again till the six months' session of 1874, with its laborious and voluminous enlargement and codification of the railroad law, resulted in a Blue Book of 493 pages. Then the volume of legislation, in the stagnation and severe business distress which followed the greenback catastrophe of 1874, fell off rapidly. In 1878 the pages were 320 in number; in 1879, the retrenchment year, 277; in 1880, 262; in 1881, 328; in 1882, 258; in 1883, 298; in 1884, 400; in 1885, 434; in 1886, 396; in 1887, 603; in 1888, 572; in 1889, 497; in 1890, 570; in 1891, 463; in 1892, 592; in 1893, 807; in 1894, 829; in 1895, 710. Here is a vast increase in business in recent years. It is a proof that legislation was demanded by the people, and that the work of the legislature was essential to the safe and rapid development of the State, unless the champion of biennial sessions is ready to argue that the people would incur all the expense it involved solely from an unreasonable itching for unnecessary legislation; that they would put themselves foolishly to the exertion which is unavoidable in the preparation and prosecution of cases before the legislature, that they would incur the expense of repeated travel and hotel bills in going to Boston, that they would spend days at the State House and hire some one in the much advertised lobby to watch their matters for them, and they would pay money to lawyers to fight their cases for them, and that they would lose their time from their business, all for the sake of passing some whimsical bill through the legislature. When men put out time, money, and

strength for no apparent object, when this outlay is made carelessly, when it is not a very serious business which is taken up only with reluctance and because they are forced into it, then, and not until then, will there be any soundness in the argument for biennial sessions that most of the legislation enacted is unnecessary. The truth is that the people would keep away from the State House if they could. The fact that people talk for biennials shows what they would do, if they had the power, when their personal interests are not involved. The other fact, that people bring enough business to the legislature for a long annual session, shows how they practise their theories. They want biennials, but they must have annuals.

A common charge is that the subjects of legislation are the same old questions over and over again, that they are ridiculous in idea, that they are nothing but a tinkering of old laws, and that they are special matters which ought to be treated under general laws. But these objections cannot have weight with those who understand the facts; they have no sufficient basis of fact to rest upon, and they would not be advanced if the objectors would be at the trouble to inform themselves upon the facts. The impression that old questions form the main business of the legislature, year after year, rests on the very narrow basis of a few such matters as woman suffrage and biennials. Taking out these and the questions which require an agitation of two or three years for their settlement, but which mark a real development, there is nothing of consequence left as a basis for the charge that each legislature merely works over the old business of its predecessor. There is now only one "hardy annual" at the State House, except biennials, and that is

woman suffrage. Weekly payments, shorter hours of labor, employers' liability, State arbitration, school superintendence by districts, free text-books, the abolition of the poll tax as a suffrage qualification, and other advance movements which have encountered serious obstacles have finally achieved success. Woman suffrage only stands just where it did twenty years ago.

It is worth while to notice for a moment the belief of the opponents of annual sessions, that much of the legislative business is mere "rubbish." In the first place, there is the interesting fact to notice, that this "rubbish"—to include under that head matters which do not commend themselves to the judgment of the legislature as a whole—is just as likely to come from the supposedly more intelligent classes of the community as from the less intelligent. Conspicuous as a matter which struggles yearly for recognition, yet which the legislature continues to reject by large majorities, and which many members are impatient with as the merest "rubbish," is woman suffrage. But this "rubbish" has the support of Henry L. Dawes, George F. Hoar, and distinguished men and women of the State in number sufficient to prove that the success of a petition before the legislature is not the only indication of the intellectual calibre or general good sense of the petitioners. For years, until discouraged by the hopelessness of the task, did Thomas Wentworth Higginson and others of his way of thinking try, in vain, to procure a repeal of the law which establishes a presumption against an atheist as a witness in court. Newspaper publishers have tried to secure a change in the law of libel, but in vain. Yet the late Col. W. W. Clapp, John H. Holmes, Samuel Bowles, John S. Baldwin, John C.

Milne and others do not believe that their petition was "rubbish" because they could not convince the judiciary committee of the soundness of their views. They abandoned their reform early. Had they pressed it in earnest it might have become law, and thus their "rubbish" would have been transformed in the eyes of the people into that good sense which they had no doubt it was, in fact. In the esteem of the great corporations, the demands for an employers' liability law and for weekly payments of wages were at first "rubbish," and as "rubbish" they were treated by successive legislatures. Years of earnest agitation were needed to give them standing in the Great and General Court. Yet those years were a period of growth, of natural development in the State, and what was at first believed to be "rubbish" was found to be not only good sense, but a positive benefit to a large class of people.

It is generally supposed that the farmers, as a class, have as much solid sense as any people in the State; but what sometimes seems good sense to them seems ridiculous to people of other professions. The farmers would legislate against woodchucks, but the lawyers laugh them out of the House. It may be granted that some ideas presented are ridiculous to all members except to those who introduce them, but the proportion of such is really too small for serious consideration compared with the genuine interests involved. The charge of "rubbish" cannot lie against legislative business to any material extent. Proposals which would be reasonable if adopted only where the petitioners live cannot be applied everywhere. Such proposals are presented from local interests all over the State, but fail to commend themselves to the judgment of the legislature as

a whole, representing the general interest. That it is inexpedient to legislate upon many matters presented is no proof that the idea is not sensible, nor that it would be inexpedient were the conditions general which caused the presentation of the idea. These matters usually take but little time, and the argument for biennials can get no material strength from them. The more extreme proposals which are generally pronounced ridiculous are too few, and take too little time to be worthy of notice.

It is urged that there is too much special legislation; that general laws ought to be passed which would obviate the need of special laws. Certainly, but the criticism is half-blind. It is a fact that the rules of the legislature require a general bill to be reported on any petition for a special act where it is possible to apply a general one. It is a fact that this rule is observed as closely as possible. But the criticism fails to perceive that special acts must often precede general acts. For a long time there was a fruitless, but honest and persistent endeavor to draft a general water-supply act which should remove the need of a charter for every new company. It was years, in spite of repeated efforts, before a general law could be passed for safe deposit, loan, and trust companies, and in these years many special charters were issued. City charters were of necessity at first special, in the divergence of local circumstances and in the lack of experience in city administration. These are illustrations of many facts. Special acts are the pioneers in the growth of the State. They are inevitable in the advance into a new field or upon a higher plane. As instances multiply, generalizations are made from the different experiences, and so general laws become possible.

But until a new race of statesmen is bred, special acts will, as a rule, precede general. As fast as possible special acts are made general, and to clamor for the latter before their time is useless. It is only when the generalization from special acts is not prompt that there is good ground for complaint. But special acts which mark a State-growth in a new line require time for discussion, both to be wise in themselves, and to set a wise precedent for coming general acts. This time is found much better in annual sessions than would be possible in biennials.

Much help in considering the business of the Great and General Court can be obtained from a study of the business of other courts in the State. If we begin in 1866, with the epoch following the civil war, we find that constant growth has marked the history of our system of courts. Enlargement, not contraction, is the rule, as would have been expected in a thriving commonwealth where the population is increasing rapidly. The index of the Blue Book shows that changes have occurred in the courts by legislative action every year since 1866. Something new has been required every year to enable the system to meet the demands upon it.

Now people do not go to law for the pleasure of it. Payments of lawyers' fees and court expenses is not an enticement to engage in litigation. Yet the people have every year put more and more business upon all their courts. The lower courts have been multiplied, the upper courts have been relieved from entire classes of business, and the number of their judges has been increased. All this has been necessary in the normal growth of the Commonwealth and of the people's business before the courts. Six sessions of the

Superior Court sit at the same time for Suffolk County alone,— a result of the rapid growth of business in recent years.

Passing over the creation of district courts (which is not yet ended), and the enlargement of their jurisdiction, their increases of salaries, their equipment with clerks and their multiplication of cases, we find that in the Superior and Supreme Courts changes have occurred, due, solely, to the increase of business. All the tendency of the times has been to throw more work upon the courts. In 1873 the number of associate justices of the Supreme Judicial Court was raised from five to six. In 1875 the associate justices of the Superior Court were made to number ten instead of nine. In 1886 the number was raised to eleven, and so inadequate was this advance that in 1888 two more were added, making thirteen. In 1883 jurisdiction in equity cases was given to the Superior Court for the sake of relieving the Supreme Court. In 1885, in order to spare the justices of the Supreme Court from hard labor in their old age, and in order to permit them to retire to make room for younger men, who could more rapidly dispatch their accumulated business, the law was passed for the retirement of the justices upon a pension. In 1887, after a stubborn contest for years, the law was passed to give the Superior Court jurisdiction in divorce cases. This was solely for the relief of the overworked Supreme Court, though the argument that the sanctity of the marriage tie demanded that all such cases be considered by the highest court in the State had hitherto prevented the change. The practice of retiring judges upon pensions was applied to the Superior Court also in the same year. In 1891 the further pressure of business upon the Supreme

Court overpowered the hitherto potent argument that cases involving human life should be tried by the highest court of the State, and the Superior Court was given exclusive jurisdiction in capital cases. In 1892 the number of justices of the Superior Court was raised from thirteen to fifteen. A bill to increase the number of justices from fifteen to seventeen was reported unanimously by the House judiciary committee on March 31, 1896. Every recent year has seen enlargements, new clerks, new assistants, more money paid in salaries, new duties and improved methods.

New necessities have broken down old practices, as the swelling trunk of a vigorous tree breaks the old bark and enlarges itself to true proportions for its own life. All through the system of courts is evident this enlargement of business, which necessitates increased time and expense, yet which is inevitable in the growth of the Commonwealth.

As it is with the courts in the State, from the supreme to the lowest, so it is with the Great and General Court. The pressure which is felt at every county seat is felt, most of all, at the State House. Viewed in its true light, this one aspect of the case is conclusive against biennial sessions of the legislature. In its normal growth the Commonwealth shows us courts multiplying, business increasing, justices made more numerous, salaries raised with enlarged business, more assistants provided, — and all this in a healthful condition of the body politic. Yet in the case of the people's court, the one place where they can come for redress of grievances, the sole opportunity they have for bettering their legal standing in relation to their fellows, the court which must adjust business methods to modern facts, the court which must find a place for numerous inventions

which continually change the relations of property to itself and of persons to it, the court which makes the laws which control the other courts which try these constantly multiplying cases, it is proposed to cut down the number of sessions by one-half, and into that half to crowd the accumulations of two years, and to tell the people to make the best of it they can. The proposition is ridiculous, and it only needs this comparison with the other court business to show how little real attention can have been given to the matter by the friends of biennial sessions. The opponents of biennials, presenting their argument on this one ground, and making it clear to the people, might afford to rest their case with it alone, for no population of intelligence could see, clearly, the facts and then vote to reduce to biennial sessions its opportunities for prompt and proper transaction of its business.

Further light on this phase of the question is given by the course of business in city councils, where the people are governed by representatives, as they are in the State government. It is the custom, in all the cities of the State, for the aldermen and common council to meet frequently. Their sessions are not continuous, as are the sessions of the legislature, day after day, and month after month, but they are not omitted for any considerable time except during the heat of summer, when many of the people served are away. That is, there is so much public business arising in every city that meetings of the city government must be held frequently in order that it may be acted upon promptly and when the interests concerned demand it. One would be foolish who should say that even once in six months was often enough for a city council to meet. Yet the legislature must do the business of the thirty-two cities of the

Commonwealth in their relations with the enlarging circle of development which requires constant readjustment, and must act also for the three hundred and twenty-six towns.

Because there is need of frequent legislation, it is not necessary to show that it is of exciting constitutional or historical importance. Neither States nor men grow by leaps and bounds. The boy who is on his way to robust manhood is not appreciably taller to-day than he was yesterday, but he is hungry for three meals a day; it would inconvenience him and injure him to omit any one of them, and no one has yet proposed a biennial plan for boys, and advised that they eat only once in two days. Uniform and healthy growth is promoted by that legislation which satisfies the seemingly commonplace needs of the people just as it is a commonplace matter to provide daily meals; but the aggregate of the growth is not commonplace, and the highest aggregate is reached by preventing any loss of growth. Because some legislation does not appear to be critical, it does not follow that it is not important, nor that the State would be just as well off without it.

A fact which may be briefly stated should not be overlooked in the proofs that annual sessions are for the good of the people. It is that in every year cases arise frequently in which the legislative rules are suspended in order that a bill may be put at once upon its passage. Even granting that this may be needless in some instances when it occurs, the fact remains that there is often occasion, even while the legislature is sitting, for its prompt action in behalf of some interest which cannot wait without injury for the ordinary course of legislation. That is, the current of human affairs is flowing ceaselessly on, and, as would be

expected in a natural course, cases of immediate need are frequently occurring.

No consideration of biennials would be complete without attention to the vastness and diversity of the interests involved. Probably no one comprehends, as to quantity alone, the work of the legislature at one session. The clerks know that the mere record of matters entered by title is voluminous. The members of the several committees know something of what is before them, but they have little idea of what is before other committees. The Blue Book, at the end of the session, shows what has been enacted, but it has no hint of what has been rejected; and the Blue Book alone is proof of much work done. Great and complex interests are under treatment at the same time. Matters are under hearing before committees which, if brought forward under other circumstances, would be thought worthy of much space in the newspapers and in popular thought; but as it is, they must be dismissed with brief mention or none at all. Only a small part of the significance of bills is revealed in the Senate and House. If there is opposition, then the facts are brought out to a greater or less degree. But if there is not, the members trust the committee's judgment, and their reports usually pass unchallenged. The legislative machine is too complex, and the mass of business is too great for any one member to know thoroughly about more than a very small part of it. It is easy to sneer at the mass, but sneers are based upon ignorance. Really, only a small proportion of the petitions and orders are offered by persons whose good sense would be questioned, or who can be suspected of attempting blackmail upon wealthy persons or corporations. To certain

persons of good sense nearly every matter of proposed legislation seems advisable. As long as we have government by the people, it is inevitable that many such matters should be introduced which, to the collective sense of a committee, or to a broader information, seem inexpedient. But it is no remedy for this fact in legislation to throw all such schemes upon an inexperienced legislature in twice the mass of the present. It is inevitable in a popular government of a thinking people, as the people of Massachusetts proudly suppose themselves to be, that a great many matters of legislation should be offered. How can government by the people be realized, and how can the body politic get the benefit of the wisdom and patriotism of its several members, unless fair consideration is accorded to the suggestions which those members offer for the betterment of their condition or for the improvement of the public administration?

A weighty reason for annual sessions is that the people should keep nearer their representatives than is possible by a biennial system. The quality of legislation is affected by the sense of nearness and annual accountability. Men who know that they are in their last term are more likely to disregard the voice of the people than if they expect to stand again for election. If legislators were elected only once in two years, each year of their service would have its distinct evil. The first year would see much bungling legislation due to the inexperience of the members; the second would be exposed to the selfish and mercenary acts of men who had little fear of accountability to their constituents. In the first year the evil would affect nearly all the members; in the second, the proportion would certainly

be material and would probably be decisive on the fate of important measures. Representatives are prone to look out for themselves rather than for the public; and, unfortunately, there is too much reason to believe that there are mercenary men in every legislature who are open to improper influences. Perhaps they are a small proportion of the legislature numerically, but they are sufficient to tarnish the reputation of every House and to be a standing disgrace to the Commonwealth. With a legislative session only once in two years, these men would have more disposition than now to take advantage of the confusion and inexperience which would prevail, and of the certainty that they would not again be candidates. Those who would resist corruption in one case might yield in another. With biennials the proportion of members exposed to this temptation would be much greater than now.

Not only would there be a higher plane of legislative morality in a body elected every year, but the needs of the people would receive more prompt and efficient attention. In each year members are now elected with some reference to local and current issues. National politics intervene to obscure these issues more or less, but local needs still have an effect, and the laws which are enacted have a reasonably close connection with the popular demand. But if the legislature were elected only once in two years the people would lose half their present opportunity to exert an influence upon the law-making body. The current of organic vitality in the community, as it reveals itself in the change of laws at the demand of the people, would become less active. Its service to the growth of the community would be impeded. The popular will would have less opportunity

for expression, and, expression being prevented, thought upon the problems of the times would become correspondingly useless, and the result, as a whole, could not be otherwise than a hindrance to the natural development of the body politic and a check to that alleviation of the ills of its poorer and weaker members which is always in progress with the growth of Christian civilization.

One objection to annual sessions is the expense; but this is not to be considered a moment compared with the good to be obtained by prompt attention to the wants of the people. The entire State tax in recent years has been but about 60 to 70 cents on \$1000, while the remainder of the taxpayer's contribution to the public treasury for most of the cities and towns is from \$12 to \$15 on \$1000. The saving in popular burdens by omitting one session of the legislature would be too infinitesimal to consider; for if the entire tax is so small, how much smaller would be the saving of the cost of a session once in two years, considering also the added length of the remaining session!

One of the retorts to the plea for annual sessions is that if the argument proves anything it proves that semi-annual sessions would be best, and so on to continuous sessions. This is advanced seriously by some. Perhaps it is reasonable; perhaps, as the waste of the human body goes on all the time, it would be reasonable for all persons to be nibbling all the time. There is reason in all things, or should be, — and this is a sufficient answer to that retort.

Unquestionably, one of the strongest props of the biennial theory is the dislike of people to agitation and change. It is hard to keep up with the current of events and with the thought of the times. In fact, the average citizen can-

not do it. All he can hope to do is to watch his own profession or business and note its progress. Business methods and ways of living and thinking get away from him unless he hurries to keep up. The laws, he feels, ought to be stable. But the rapid change which affects every profession and makes antiquated every one who is out of the current of thought for a few years operates no less actively in the community-life itself. It is the fact in the business world that machinery not half worn out must be replaced by new because recent inventions make it unprofitable to use the old. Buildings in good repair and capable of rendering many years of service must be torn down, as is seen in Boston, to make room for the latest improvements in offices and in methods of construction. Besides this growth in the separate lines, there is a growth of the community as a whole, which it would be folly to check. Lawyers hate to see a new Blue Book every year. Men object to new business methods where they do not see a direct personal advantage. Every one rebels at the thought of new laws to obey, new regulations to learn and observe. Yet this is the way the community grows, and the healthiest and most rapid growth is where the inner life has amplest room for expansion. Forces greater than we understand hurry us on, both in our private business methods and in our public relations. We cannot master them if we would. They are for the well-being of the State and of the nation. It is our duty to give them every opportunity for free action. We check and divert them to our injury only. We recognize them and promote them for our good.

To sum up, the objections to annual sessions are founded upon mistaken beliefs as to facts and upon a conservatism

which fails to recognize the growth of the community. These objections are of little weight compared with the reasons why there should be frequent opportunity for the popular will to assert itself in the forms of law, and for the popular intelligence to do its best toward the improvement of the State. It is not too much to say that the advance of Massachusetts — and the present argument is not for Massachusetts alone — is due in part to the frequency with which the popular will expresses itself for the betterment of her condition, and it is to be earnestly hoped that she will not make the mistake of adopting biennial legislative sessions.

BIENNIAL ELECTIONS.

THE other phase of the biennial problem is that of biennial State elections. At the outset the truth should be recognized that the legislature is nearer to the people than either of the other branches of the government. It is not necessary in this stage of development and of study of community-growth to insist that there is a steady progress, that the times are changing, that the ideals of the people are undergoing constant alterations (for the better as we optimistically believe), that there are higher ideals of personal action, that business methods are more expeditious and efficient, that the body politic is raising up its lowliest members, and that the entire mass of our people is surely and steadily advancing to a higher type of civilization, whose realization many workers find in the full meaning of the word Christian, to which the State as a body politic has not yet nearly attained. Unless this growth toward an unrealized ideal is admitted, then the reasons for annual

elections will not seem to be well founded. But assuming that this fact will not be denied, then the first pertinent consideration is that the legislature is the closest to the people of all the departments of our government. Its members are fresh from the elections, where they have been chosen to represent the people. They have been chosen upon issues. The voice of the majority, which is our practical criterion of what is for the greatest benefit to the people, has selected the men who sit under the gilded dome, while the representatives of opposing views, each for his own locality, have been left at home. The growth of the community as a body politic is fostered by and finds its expression in its laws. Hence the question of the desirability of biennial State elections must be discussed, first of all, in its relation to the legislature. What effect will biennial elections have upon the enactment of the laws which promote the development of the State toward the unattained Christian ideal, and which are the expression of the collective intelligence and will of the people?

The first fact relative to the legislature to be noticed under biennial State elections is that the members would sit for two sessions without re-election, instead of one, supposing that the common sense of the people accepted the conclusion that annual sessions are essential to the growth of the State, as against biennials. This arrangement has been advocated by some writers on this subject. Governor Brackett, in his inaugural address in 1890, recommended that there be a legislature chosen once in two years to hold an annual session, saying that "a legislature elected for two years and meeting annually would, at its second session, be composed wholly of experienced members." But

the reverse of the proposition is true, — that at its first session the legislature would be practically composed wholly of inexperienced members. More than this, the experience which it would have in its second session would be only that learned by observation of the errors of its own inexperience; whereas, by the present system of annual elections, the experience gained is by observation of the traditions and customs which are handed down, with more or less improvement, from year to year, and which are the result of the accumulated trials and wisdom of a century. These methods are easily followed, in the main, for in every house about one-third of the members have seen service before, while every Senate is composed, by a large majority, of men who have served in the House. The strong probability is that the inexperience in the first session of a legislature elected under the biennial system would far more than offset the questionable experience which would be their supposed leading qualification in the second session. The members in the first session would be ignorant of their duties. They would be totally unfamiliar with legislative methods. The rules of procedure, which are of constant application every hour of the session, would have little place in their minds. Yet those rules, the growth of centuries of parliamentary practice, are indispensable to the prompt and correct dispatch of business. The members would not know the history of matters presented. They would not be able to exercise proper discrimination between the persons appearing before the committees, being without that acquaintance which discerns the mere idle talker from the business man, a few of whose sensible words are worth hours of advice from the other. With an honest attempt to

satisfy the wants of the people in legislation, it cannot be questioned, it seems to me, that business would be greatly delayed and poorly done, and that there would be confusion, omissions, and blunders more than now, in the Public Statutes. In their second session these legislators would have only themselves to learn from. What hope, then, of better legislation than we have now, when there are always experienced men enough to conduct the business of the two branches, to serve as chairmen of committees, and to take the brunt of the labors, leaving the new men free to learn in a better way than by their own mistakes?

This is not saying, by any means, that the present system is perfect. It is not. But the present system is the result of many years of experience on the part of the men whom the average sense of the people has sent to the legislature, — men who have been spurred on to do their best by their own conscience, intelligence, and ambition, by the pressure of public sentiment upon them, and by the constant upbraidings and lashings of nearly all the press of the State. The system can be improved, but there would be little hope of better things from a biennially-elected legislature with annual sessions.

The weight of this consideration, it will at once be urged, turns upon the question whether the people would or would not elect members to more than one term of service. If members were re-elected for second terms as now, or even approximately, as now, then the objection would fall and the argument from experience alone would favor the change. But no one who has watched the course of legislative nominations for years can have the slightest hesitation in saying that members who had served two years would not be re-

electd. Ample demonstration is found in our present practice. In the city districts it is the custom to re-elect valuable members to a second term. Third terms are comparatively rare. But in the country districts the practice is general of electing the members for only one year, no matter how meritorious the service has been. This is due to local jealousy and ambition in part, and in part to personal ambition. After every decennial redistricting, it occurs in many districts that representatives of the towns thus newly thrown together meet and apportion the number of years in the coming ten for which each town shall have the representative, and establish the order in which the rotation shall be followed. This plan is adhered to as closely as the exigencies and casualties of politics permit, to the loss of the district in the efficiency of its representatives and to the injury of the State in not having experienced legislative ability at its command, but to the aggrandizement of the local lawyer or manufacturer and to the vindication of the right of the town to take its "turn" in representation in the Great and General Court. Though the cities now often give their representatives two terms of one year each, with members elected for one term of two years the personal ambition of waiting aspirants would doubtless prevent a re-election in most cases for two years more. That members would not be re-elected to any material extent under this biennial system is practically settled beforehand.

Another consideration relative to annual sessions of a biennially-elected legislature is that in the second session, at which the members would have the benefit of the poor experience of their first session, they would be required to act upon many questions upon which they would not have

the voice of the people. More than a year would have elapsed since their election. The phases of existing issues would certainly have changed somewhat during the interval. Some wholly new questions would have sprung up. Each member desires to represent his constituents. As a rule, he is a member because he represents their opinions on broad questions. On local matters he may represent one of two sharply opposed courses. He aims, as a rule, to follow the voice of the people. It is the majority, speaking through him, who make the laws. But at the second session of a biennially-elected legislature there would have been no opportunity for the popular voice to be heard, and to that extent laws would be enacted upon which there had been no popular expression, either as regards State policy or neighborhood dissension. Such legislation would involve the probability of further agitation, either for amendment or repeal. It would be complicated with other pending issues which had arisen in their turn, and a settlement would imply compromises or injustice. The correct course in disposing of public issues is to settle them, one at a time, each on its own merits, and then let every new question be discussed as it deserves, so that new divisions and new party alignments can be made. This is a sure way to prevent corrupt log-rolling. It expedites the settlement of popular issues and promotes the development of the State. To summarize,—with a legislature of the type proposed, the first session would be seriously affected by the inexperience of the members, by the mistakes they would certainly make in the formation of their bills, and by the confusion and waste of time inevitable with so many new men, while the second session, which could have the benefit of only inferior experi-

ence, would have to remedy the defects of the first, would be more liable to corrupt influence, and would be at the disadvantage of a year's further remove from the people, who are the true source of legislation and whose voice must ultimately be regarded.

We now come to the relation of biennial State elections to the chief executive of the State. Here is where the proposed change has one of its strongest roots, apparently, in the minds of its advocates. The governor, it is said, does not have time enough in one year to develop any policy; he is no more than seated before politicians are planning about his successor; desire of a second term controls his course in his first, and the people do not have the benefit of his independent action; if the term were two years he would have opportunity to formulate and to develop a policy.

This is plausible, but it will not bear examination. Higher than the governor are the people, and they are represented in the legislature. If biennial elections are, on the whole, injurious to the legislature and to the proper care of the people's interests, that superior consideration should settle the matter, even if the argument for a two-years' term for the governor were as sound as it is plausible. But it is not. Much has been said recently in favor of strengthening the governor. Attention has been called to the constant encroachment of the legislative department upon the executive, and there is no doubt of the fact that the governorship tends to become a less important office, no matter what exceptions there may be in the cases of brilliant individual incumbents. This tendency is inevitable and it is right. The executive carries out the will of the people. He is their servant. Their collective intelligence is better than

his individual judgment. Their decision is conclusive. Their will is supreme. To meet emergencies the governor has a veto, but no man has a permanent check upon the popular will. He is made governor to execute that will; that is his policy, and his plans must be made within existing laws. It is for the people to change the laws, not for the governor. Reforms come from the people, not, as a rule, from our governors. It is for the governor, as head of the administration of the laws which are made by the people, to point out how that administration may be improved. Such recommendations come within his province, but anything which he may offer further is an impertinence and worth only what it would be worth as coming from a private citizen. His function is far inferior to that of the legislator. Development of the State as an organism inevitably comes from the mass of the people, and wherever existing law operates to restrain any in the pursuit of liberty and property not at the injury of his fellows, there is a point where legislative action is needed to break the old bark of the tree and permit freedom of action according to the law of the inner life. No governor within my recollection has been elected because he was the agitator and inaugurator of a positive reform, but at most only because he has been a representative of a reform for which there was a demand which he did not create. Our governors are not elected because they are leaders whom the mass of the people follow. No such men have existed in this generation; and as the education and independence of our people advance, there is small prospect that such will be found hereafter. At most, they will be exceptions to the rule, and it is undesirable to legislate for exceptions. Any gov-

ernor's policy must be within certain narrow limits; and as it is to be supposed, judging from the past and relying upon the common-sense of the people, that the people will choose their governors from men who have had experience in State matters or in governmental administration of some sort, it is not necessary that they should have a year in which to become accustomed to the office, or in which to formulate a policy. Doubtless there would be greater familiarity with office in the second year, wider experience in the management of public institutions, and acquaintance with a larger circle of aspirants to office. These considerations have some weight, but not much if the governor is fit for his first year, and especially not much in comparison with other interests. If the governor so acts in his first term as to secure a re-election, he is in the main only doing as well as he can, which he is bound to do in any event. Such a consideration is in favor of frequent returns to the people. But there is a sufficient reply to the objection that the governor has not in one year a sufficient opportunity to develop his policy. It is the strong probability (which has been a fact in recent years) that if the governor fills his office well he will be re-elected. Massachusetts practically illustrates this.

On the other hand, if the term of the governor were two years, the people would lose invaluable opportunities for the expression of a needed popular judgment. Let us take a recent case for illustration. A material factor in the defeat of Governor Brackett in his candidacy for a second term was unquestionably his failure to veto the West End charter for a street railway in Boston after a legislative investigation had proved that the bill was passed by means of a profuse use of money, by the extensive employment of

lobbyists, and by the exertion of improper influence upon the members of the legislature. The judgment of the people, powerless to defeat or annul the act, found expression in the rejection of the governor, who failed to satisfy the popular demand for action in this emergency. By the annual election this popular judgment was emphasized. Under a biennial system, later events would have removed the impression or have confused the issues, and the lesson would have been lost.

The effect of biennial elections upon the judiciary of the State does not seem to be an important consideration, compared with the effect upon other departments of the government. As far as a biennially-elected legislature performed its work improperly, enacting laws which were confused, obscure, or contradictory, so far the duties of the judges would be increased and their discharge would be unsatisfactory. But biennial elections would not touch this department closely.

One reason for annual elections which is emphasized by their friends, but is made of no account by their opponents, is that such elections exert an indispensable educational effect upon the people. Doubtless such an effect is worth a heavy cost, and the appreciation of such education is most proper. But it seems unnecessary to rely much upon that argument for annual elections because the education is secured in obtaining the more direct objects of elections. The workingman has no need of physical exercise for its own sake, because he gets enough of it in his work. If a man gets no such exercise in his usual work, then he must make physical exertion solely for the sake of the exercise. If the education of the people in self-govern-

ment could be secured only by annual elections, then that end would amply justify such means; but the solution of pressing problems demands annual elections, and in the political work which must be done, the political body gets its needed exercise or education.

The objections to annual elections will be found summarized, as follows, by the Hon. Henry L. Pierce in his argument of March 20, 1890, in favor of biennial elections and legislative sessions, made before the legislative committee on constitutional amendments. He said:—

“The admitted evils of the present system, concisely stated, are, first, incessant political agitation; second, overmuch legislation; third, instability and uncertainty in the laws; fourth, unnecessary and wasteful expenditure of money.”

The second of these objections is met by the considerations in the article on biennial legislative sessions. Some of our legislation is remedial of errors due to carelessness and ignorance, part of which might be avoided and part of which is inevitable with the limitations of a popular government and never can be reformed away, except in a degree. The remainder of legislation is due to the legitimate growth of the State, and, as already said, the idea that there is too much legislation of this sort is in conflict with the demands of the people for more legislation, — demands which are imperative and loudly heard at the State House in spite of the interests of all petitioners to keep away from the legislature otherwise.

The third objection is sound as far as it goes, but instability and uncertainty are inevitable in a State whose wants are growing rapidly, whose inventions are constantly shift-

ing the relations of business men to each other, and whose people are continually moving away from the customs of their fathers. It is an evil that children should grow, because they outgrow their clothes before they are worn out; it increases the expense and the inconvenience of providing for them. But the evils of changing clothes and of changing laws must be borne with as much economy and philosophy as possible, remembering that to check the growth which necessitates the changes would be folly.

The fourth objection of "unnecessary and wasteful expenditure of money" is also true in a sense. Certainly money will be spent unnecessarily and wastefully in annual political elections. So it would be in biennials, or quadrennials. But the pertinent question is, is the election worth the expense? On one side the weight of the argument can be measured with some approach to exactness, especially since the passage of the act to prevent corrupt practices in elections. It is so many dollars and cents. Allowing more for the time lost in political agitation, and more yet for the sum not reported under the corrupt practices act, which every reader may estimate to suit himself, the question still remains, does the good of the State demand this expense? My answer is, without hesitation, that it does, and would warrant a much larger expense if the end were not to be gained otherwise. In the unfolding of the reasons for this will come the answer to the first objection to annual elections named above, — "incessant political agitation."

We are to-day more than ever face to face with the fact that we do not know what there is in the organization of society as a whole. We do not yet see the point clearly (the mass of us do not, whatever may be true of prophetic states-

men) toward which the organic unity of the human race is tending. We look back and see a marvellous development in the forms of government, almost invariably connected with the overthrow of human despotism, with the struggle of tyrants for their individual power, with the manifestation of patriotic heroism and with the sacrifice of countless lives whose dying energy has been perpetuated in the institutions they have founded. We have reached to-day the point of a representative republic whose ultimate atoms are local democracies. Under the despots of the overthrown governments elections have been unknown. Neither annual nor biennial legislatures were wanted or had, nor did the people have anything to say regarding their political status. Step by step, with "the protest of corpses" at every point against the old regime, the worth of the judgment of the many against the few has asserted itself; the right of the many against the privilege of the few has won its bloody victories. Now, with the collective will and wisdom of the majority as at least our nominal guide, we stand at the point in our growth where this will is more active than ever, and where this wisdom finds more problems before it than were dreamed of in the days when our present form of government rose triumphant over the inferior monarchy. Our political thought is more active than ever. Our business interests are more complicated, divergent, and enormous. The accumulation of wealth is more rapid. The elevation of the lowly in material prosperity is higher than the past ever knew. Our growth is from a centre outward, as it were of a sphere, not in one contracted line. Every enlargement brings new problems. These problems are forced upon us. We cannot help ourselves, save by denying our exist-

ence as rational and progressive beings and by refusing to go forward. We are in the grasp of forces which go back through recorded history beyond the mists of tradition, — forces too mighty and comprehensive for us, which are sweeping us on, willing or unwilling, knowing or unknowing, to some distant goal. We stand to-day in the presence of governmental problems which we cannot solve, but whose solution will doubtless come with the progress of the State in the science of government. Yet that progress is an organic growth. What extent of growth and what fulness of prosperity are bound up in the future for organized humanity we can only surmise. One day we establish governmental control of the post-offices; on another the State puts highways under the authority of the towns, instead of in the care of turnpike companies; on another we assert organic control of our water supplies, instead of leaving them the property of private persons. Shall we go on to take the railroads next, and the express business (much of which is even now creeping into the mail-bags away from corporate operation), the gas, the telegraph and telephone, and so on? Shall the State thus solve the problems which are involved in the community's serving itself as an organism, instead of being served by its private constituent members? Shall the organized community extend its care for its ignorant members beyond the present system of education, as it is tentatively doing with its manual and industrial training? Shall it care for its poor beyond the present system of pauper relief and prevent them from becoming paupers? Whither are the forces of organized humanity sweeping us? Tribes have advanced in civilization. Small communities have grown to local States, States

to nations, and nations to alliances and to a recognized international law, their growth being, in every case, from an inner law, which may or may not have been expressed in a written constitution. This growth has been constant, and seems to be advancing to-day more rapidly than ever.

But the community finds its voice only in elections. Legislatures are its only representatives. Laws are its only expression. Whatever may have been true of the slower times of the past, to-day the agitation in the realm of organic community-action is greater than then. The will of the community is more and more finding expression in its natural way, — in its laws. Writers in Massachusetts protest against State commissions, but, with doubtless a popular indorsement of their argument, the number of commissions is constantly growing in the very teeth of the protest. The outlook is for the extension of government into the realm of highways this year, into something else next year, and so on, with no end in sight. In the nation the growth of departments is steady. The original cabinet has been enlarged by taking in new officers; the department of agriculture has been added recently; the merchants and business men now show strong reasons for a new cabinet officer for a department of commerce; other nations have still other departments represented in their cabinets, hinting at what may be needed by ourselves. At all points the government is enlarging its contact with the affairs of the people. That is, the people, as an organic whole, are doing more and more for themselves that which is for their comfort and prosperity. We seem to have barely entered upon this career, so numerous are the avenues for governmental action com-

pared with the field of governmental exercise in the past. Every year brings some new phase of progress. It may not bring triumph, because in some matters years are needed for the education of the popular intelligence, for organizing and compacting into an effective body the friends of a particular reform; but it does bring growth. The time and the agitation are not wasted, and they have their fruition in the larger rights and comforts for many people who would have had to wait longer if frequent elections had not favored their cause. This truth is seen in the ten-hour law, in the body of factory and sanitary legislation, in the weekly-payments law, in the State board of arbitration and conciliation, in the employers' liability act, in the protection to women and minors, in the closer restriction of the sale of liquor, in the development of the school system of the State, in the regulation of the use of electrical inventions, in the encouragement of business enterprises, in the improvement of our voting system, in the restriction of corrupt election practices, and so on through a long list. These gains could not have been secured, as fully as to-day, under a biennial system. They are of incalculable worth, but the objection to their cost can be measured in dollars and cents. Such an objection cannot be sound.

Every step of progress by the State is an advance over some obstacle, a throwing off of some weight, an attainment of a larger sense of what is involved in the relations of men to each other in an organic whole. These weights which the State is throwing off are so many hindrances to the well-being of every individual in the State. How much more rapid will be the community development when the level already in sight shall have been attained? But who

can tell whether an end will ever be reached to the solution of State problems? To-day it is the cry of the poor which is heard. To-day the effort is to raise the great mass of the people to the wealth and comfort of the more favored few. The current of progress does not turn backward. When this problem is solved, if ever, will any one predict that other problems will not as urgently demand solution? The occasions of organic action now could not have been predicted by the men who made the constitution. Why should any one now undertake to say that there will be a stoppage of State development, so that the body politic will have fewer wants than now?

The State, humanity in its organic capacity, is well represented by the Sphinx. It is in part composed of the animal nature, but its head is human and erect. Humanity is beginning to realize its oneness. It is asserting its right to act as a whole, and to interfere for the protection of its constituent individuals. In the face of all the talk against too much government, the unfoldings of the times show larger and larger interventions of the State as a whole in the social and business affairs of its people. To-day the outlook for the continuance of such interventions is wider and clearer than ever. In proportion as these interventions extend so must there be frequent and intelligent exercise of the knowledge and the will of the State in securing its development according to the laws it is obeying, which are the laws of God. If ever the future brings a solution of all the problems in sight, if the race seems to have reached its goal, then will be time for it to enjoy in ease the fruits of its growth; but in this era, with the unsolved questions of State life more numerous than ever, and with the true

nature of organized humanity becoming more clearly seen, it is the worst time to think of adopting a policy which shall in any way restrict the growth of the human organism to its Christian ideal, which is bringing larger good to every citizen.

THE END.



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